Revised 03/06 WDNY

# UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK



# FORM TO BE USED IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

(Prisoner Complaint Form)

19 CV 269V

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1.	<b>CAPTION</b>	OF	ACTION

1. JeRome Nathan ERANT	15114-055
2	
	-VS-
The court may not consider a claim against a you may continue this section on another shee 1. United America	OTE: Pursuant to Fed.R.Civ.P. 10(a), the names of all parties must appear in the caption.  In one not identified in this section as a defendant. If you have more than six defendants, it of paper if you indicate below that you have done so.  4. John to berski/united states frobation of the second section of the second secon
	. STATEMENT OF JURISDICTION
This is a civil action seeking relief and/o	. STATEMENT OF JURISDICTION  damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to
This is a civil action seeking relief and/o United States. This action is brought pur	. STATEMENT OF JURISDICTION  damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to
This is a civil action seeking relief and/o United States. This action is brought pur 28 U.S.C. §§ 1331, 1343(3) and (4), and	STATEMENT OF JURISDICTION  damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to 2201.
This is a civil action seeking relief and/o United States. This action is brought pur 28 U.S.C. §§ 1331, 1343(3) and (4), and PLAINTIFF'S INFORMATION NOT	. STATEMENT OF JURISDICTION  It damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to 2201.  3. PARTIES TO THIS ACTION  E: To list additional plaintiffs, use this format on another sheet of paper.
This is a civil action seeking relief and/o United States. This action is brought pur 28 U.S.C. §§ 1331, 1343(3) and (4), and  PLAINTIFF'S INFORMATION NOT Name and Prisoner Number of Plaintiff:	STATEMENT OF JURISDICTION  damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to 2201.  3. PARTIES TO THIS ACTION  E: To list additional plaintiffs, use this format on another sheet of paper.  Jerome Nathan Chan 15114-055
This is a civil action seeking relief and/o United States. This action is brought pur 28 U.S.C. §§ 1331, 1343(3) and (4), and  PLAINTIFF'S INFORMATION NOT Name and Prisoner Number of Plaintiff:	STATEMENT OF JURISDICTION  damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to 2201.  3. PARTIES TO THIS ACTION  E: To list additional plaintiffs, use this format on another sheet of paper.  Jerome Nathan Blant 15114-055  : Federal Correctional Institution Crimer Pro. Box
This is a civil action seeking relief and/o United States. This action is brought pur 28 U.S.C. §§ 1331, 1343(3) and (4), and  PLAINTIFF'S INFORMATION NOT Name and Prisoner Number of Plaintiff:  Present Place of Confinement & Address  Loco, Glendille, WV 26.	STATEMENT OF JURISDICTION  damages to defend and protect the rights guaranteed by the Constitution of the suant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to 2201.  3. PARTIES TO THIS ACTION  E: To list additional plaintiffs, use this format on another sheet of paper.  Jerome Nathan Blant 15114-055  : Federal Correctional Institution Crimer Pro. Box

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	NDANT'S INFORMATION NOTE: To provide information about more defendants than there is room for here, use this n another sheet of paper.			
Name of Defendant: United States of America				
	icable) Official Position of Defendant:			
	icable) Defendant is Sued in Individual and/or Official Capacity			
	s of Defendant: United States Court House 2 Nragea Square Buffalo, Ny 14702			
Name o	of Defendant: Kichard J ARCara			
(If appl	iicable) Official Position of Defendant: Judge			
	licable) Defendant is Sued inIndividual and/orX_Official Capacity			
Addres	s of Defendant: United States Court House, 2 Niagra Square Buffalo Ny			
	02			
Name (	of Defendant: Beorge c. Burgasser/u.s DePartment of Justice united States Attorney of			
	licable) Official Position of Defendant: Assitance unifed Sat states Attorney			
	licable) Defendant is Sued inIndividual and/orOfficial Capacity			
west	ern District of New York Federal Center 138 Delaware Avenue Buffalo, NY			
142	02			
	4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT			
Α.	Have you begun any other lawsuits in state or federal court dealing with the same facts involved in this action?  YesNo			
	complete the next section. NOTE: If you have brought more than one lawsuit dealing with the same facts as this use this format to describe the other action(s) on another sheet of paper.  Name(s) of the parties to this other lawsuit:			
	Plaintiff(s):			
	Defendant(s):			
2.	Court (if federal court, name the district; if state court, name the county):			
3.	Docket or Index Number:			
4.	Name of Judge to whom case was assigned:			

y <sup>*</sup> . A	Continueation of Page 2 Defendant's Information	The control of the co
	Name of Defendant: John Taberski  (IF applicable) offical Position of Defendant: united states  Probation Officer  (IF applicable) Defendant is sued in Indivdual and/or _X  Official Capacity  Address of Defendant: united States Court House / united states	1 1 1 1 1
	Name of Defendant: Barry J. Donohve/Donothur Law offices (Ifapplicable) official Position of Defendant: Attorney At Law (Ifapplicable) Defendant is sued in X Individual and/or X Offical Capacity Address of Defendant: 77 Broad Street, Tongwarda, New York	mannananan dara kananan dara kanan dara kananan dara kananan dara kanan dara kanan dara kanan da
		SIIIALIAAAA SIINIITAAA —————————————————————————————————

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5.	The approximate date the action was filed:			
6.	What was the disposition of the case?			
	Is it still pending? YesNo			
	If not, give the approximate date it was resolved.			
	Disposition (check the statements which apply):			
	Dismissed (check the box which indicates why it was dismissed):			
	By court <i>sua sponte</i> as frivolous, malicious or for failing to state a claim upon which relief can be granted;			
	By court for failure to exhaust administrative remedies;			
	By court for failure to prosecute, pay filing fee or otherwise respond to a court order;			
	By court due to your voluntary withdrawal of claim;			
	Judgment upon motion or after trial entered for			
	plaintiff			
	defendant.			
If Ye	Yes $X$ No			
1.	Name(s) of the parties to this other lawsuit:			
	Plaintiff(s): JeRome Nathan GRANT 15114-055			
	Defendant(s): United States Marshals/Steven wolf			
2.	District Court: Western District of New York, Buffalo My			
3.	Docket Number: 1:16-CV-00866-RJA / 18-614-CV			
4.	Name of District or Magistrate Judge to whom case was assigned: Kichard J Alcara			
5.	The approximate date the action was filed: 10/31//b			
6.	What was the disposition of the case?			
	Is it still pending? YesNoNo			
	If not, give the approximate date it was resolved. 10/19/2018			

Disposition (check the statements which apply):					
Dismissed (check the box which indicates why it was dismissed):					
	By court <i>sua sponte</i> as frivolous, malicious or for failing to state a claim upon which relief can be granted;				
municipal de la companie de la comp	By court for failure to exhaust administrative remedies;				
	By court for failure to prosecute, pay filing fee or otherwise respond to a court order;				
<u> </u>	By court due to your voluntary withdrawal of claim;				
plaintiff					
					defendant.

#### 5. STATEMENT OF CLAIM

For your information, the following is a list of some of the most frequently raised grounds for relief in proceedings under 42 U.S.C. § 1983. (This list does not include <u>all</u> possible claims.)

- Religion
   Free Speech
   Due Process
- Access to the Courts
   False Arrest
- Excessive Force
- Equal Protection / Failure to Protect
- Search & Seizure
- Malicious Prosecution
- Denial of Medical Treatment
- Right to Counsel

Please note that it is not enough to just list the ground(s) for your action. You must include a statement of the facts which you believe support each of your claims. In other words, tell the story of what happened to you but do not use legal jargon.

Fed.R.Civ.P. 8(a) states that a pleading must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." "The function of pleadings under the Federal Rules is to give fair notice of the claim asserted. Fair notice is that which will enable the adverse party to answer and prepare for trial, allow the application of res judicata, and identify the nature of the case so it may be assigned the proper form of trial." Simmons v. Abruzzo, 49 F.3d 83, 86 (2d Cir. 1995). Fed.R.Civ.P. 10(b) states that "[a]ll averments of claim ... shall be made in numbered paragraphs, the contents of each of which shall be limited as far a practicable to a single set of circumstances."

#### **Exhaustion of Administrative Remedies**

Note that according to 42 U.S.C. § 1997e(a), "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prison er confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

You must <u>provide information</u> about the extent of your efforts to grieve, appeal, or otherwise exhaust your administrative remedies, and you must <u>attach copies</u> of any decisions or other documents which indicate that you have exhausted your remedies for each claim you assert in this action.

A. FIRST CLAIM: On (date of the incident) 2016 to 3/22/17
defendant (give the name and position held of each defendant involved in this incident) united States of America,
Richard J. Arcaralludge, George C Burgasser united states Attorney's office, John taberskil
united States Probation officer, Barry J. Donohue/Donohue Law offices Afforney at Law
did the following to me (briefly state what each defendant named above did): Toblected to the "Afformey"
about being a Career offender to many times to Count but at least 10. I asked
Him to object to the P.S.I Reporter John Taberski when he Refused to Do
So I followed what I believed to be the Chain of Command/Administrative
Remedies the lawyer, the P.S.I Reporter, the united States Attorney then the
Judge, So once the Attorney" refused to object I Put together a motion
Oblecting to being a Career offender and Sent a Capy to the Attorney
United States Attorney George C. Burgasser and P.S.I RePorter John Tabers Ki. Continued
The constitutional basis for this claim under 42 U.S.C. § 1983 is: Due Process, Equal Profection, Access to the court
Failure to Protect, Malicious Prosecution, Right to Counsel, Collusion
The relief I am seeking for this claim is (briefly state the relief sought) \$80,160,000.00, 80 million one
hundred thousand Dollars.
Exhaustion of Your Administrative Remedies for this Claim:
Did you grieve for appeal this claim? X Yes No If yes, what was the result? They all distegaced
Did you appeal that decision? Yes No If yes, what was the result?
Attach copies of any documents that indicate that you have exhausted this claim.
If you did not exhaust your administrative remedies, state why you did not do so:
I didn't know any other way than to bring it of to All factives involved.
A. SECOND CLAIM: On (date of the incident),
defendant (give the <u>name and position held</u> of <u>each defendant</u> involved in this incident)

Continuation

A. First Claim

Once they disregared my objecting Violating my Due Process, I wrote A letter to HON. Kichard J. Arcara and affached the Motion objecting to being a Career offender, I let him know I'm writing Him Asking for a hearing Due to me Objecting to being a Career offender, a Very Serious Enhancement 10 Plus years, I let Him Know the reason why In writing to Him is because I asked my Attorney to object and He refused to object to this very Serious matter 70-87 months And 188-235 is Serious So I Asked Him (Judge Accase) to set a hearing on me objecting to being a Career offender See Docket # 504 Her from Desome Grant, dated 10/3/2016, to HON: Accara. Just wanting my Due Process to not be Violated and access to the Courts and to Prevent what would affect to Collusion and Malicious Proscution, But Judge Arcara Distegateded my Due Process Right's Just like Barry J. Donohue, George Burgasser/united States Altorney And P.S.I Reporter John taberski, As united states Officals Same Case; Dockett Case number 1:14-CRO0134-RJA-HBS Defendant Spencer Rogers Docket # 624 first motion for Extension of time to file objections to Presentence Investigation Report, motion to Produce by Spencer Rogers. Hoffman, Alan) (entered 5/19/2017) then on 05/23/2017 Docket# 626. Text ORDER as to defendant Spencer Rogers (7). The defense filed 624 first notion for extension of time to file objections to Presentence Investigat ion Report and other relief A Status Conference on the motion is 3 cheduled for may 31, 2017 at 9:00 Am before HON: KICHaRD J. AKCAKA. Defendant is to be Produced for the Status Conference. So OKDERED. ISSUED SIGNED by HON' Kichard J. ARCara on May 23, 2017. DJD) (Enfered 05/23/2017) A Hearning is Held for Spencer Rogers on 05/31/2017 Minute entry for Proceedings held 5/31/2017 before How. Kichard J. Arcara as to Deft. Spencer Rogers. Status Conference is Held >

regarding Deft's 624 motion for Extension of time to tile Objections 'b the Presentence Investigation Keport. That Shows Spencer Kogers Vas Awarded His Due Process and that my Due Process Rights were liplated a Kight According to Law and the United States Consititution be Afforded But was neglected of even the in Docket # 523 Dated 11/17/2016 Text older Asto Jerome Grantles Sentencing is adjourned to 5/22/2017 At 12:30 Pm before Hon. Kichard J. Arcara the Submission of intencing Papers is amended As Follows: Statement with respect to Sentencing Factors, Objections. Responses to objections due by 3/8/17 Final Presentence Investigation RePort due by 3/15/2017 SO ORDERED. Ssued by HON. Richard J. Akcara on november 17, 2016 (DJD) (Entered 11/17/16) Even the it Appears I had the Right to object when I Did Object it was to Haly Distegarded See Docket#504 on 9/28/18 Docket# 842 Attorney Bassy J. Donohue admitted under the fenalty of PerJuly that I Did object Him about being a Career offender then on Dockett 855 united States-Horney Weixiang Admitted under the Penalty of Persory that in a Pro-se letter lated October 3, 2016, the defendant Objected to His Career ofFender Haus, Claiming that His Kange Should instead be 70-87 Months. DK+504 Judge Accara Urolated my Due Process Rights by not Holding a Status onference based on me objecting to being a Career offender a very Serious Enhancment of 10 Plus years one hearing that the Judge Said I was intitled to by law and the united sletes Constitution, But some How Then I Exertised my Due Process It was Violated By the united States of AMerica, Judge Arcara And all the Above name Defendant's by Disregarded and Violating my Due Process Rights and is Collusion and Malicious rosecution and Equal Protection, Access to the Courts, failure to Protect Dairy J. Donahue I've wrote to him objecting about being a Career offender

Due to Him being my "Attorney" After the Plea, I Asked Him to object with the P.S.I Reporter John Tabers Ki A Number of times He refused to object, He Even refused to bring it up at Sentencing or in the Sentencing Memoran Dum Docked #570 entered 3/10/17 Sentencing No Docket # Hearing Held 3/22/17 hen on 9/28/18 Docket # 842 Attorney Donohue Sent Affactavit in of Conflict of intrest Stating That I insist He tile 2255 motion for ineffective Assixtance of Counsel in that motion He Stated I objected to being a Cateer offender and He Also Admits He never objected on my Behalf witch Proves ble Viblated my Due Process Kights under the 5th Admendment one objection " the U.S. Ro John taberskil A.U.S.Al Judge Aracae Could have Prevented my Die Process Rights being Violated By "Attorney Donahue". John Tabersti Sent a motion objecting to being a Career offender to John taberski and that instead of 188-235 my Sentence without the Enhancement under Jareer offender Should be Catergory 5, 70-87 months as stated in my is I by John taberski; He never responded to me or he never set a Hearing of Even Asked the Judge to set a Hearing on this very important matter or bringing I up to the Judge As Fac as I Know If you object to Somthing As important as 10 Plus year Enhancement the Proper Due Process would be to Alect the united States Afformy and the Judge and have a hearing on the matter Example Same Docker: Docker # 624 Date 5/19/17 first motion for Extension of time to file objections to Presentence Investigation report, motion to Produce by OPENCER Rogers (Haffman, Alan) Centered US/19/2017) Doctet 626 05/23/2017 Text order as to defendant spencer Rogers(7) the defense filed 624 first motion For extension of time to file objections to Presentence Investigation RePort and other relief. A Status conference on the motion is scheduled TOE May 31, 2017 at 9:00 Am before Hon, Richard J. Accara Defendant is to 'se Produced for the Status Conference. So OlDered. Issued. Signed by >

disabignylacija	
Hon . Richard H	Arcara on may 23, 2017 (DJD) entered 05/23/2017 Spencer
A	Reporter was Lisaferraro. So P.S.I RePorter John Taberski
	Due Process Rights By not holding or bringing it to the Juglige
	I objected to being a Career offender all It took was one
	y Due Process Rights would not have been Violated By
Y AMP	tie George & Burgasser/united states Attorneys office
. 3	eted to being a Career offender to George C. Burgasser a
	mes I Sent Burgasser a Motion objecting to being a Career
offender al	the Same time I sent the motion to Barry J. Donohue and
1	i and George Burgasser Violated my Due Process Rights
/% 6 B	ling a Hearing en this very Imfortant matter George Burgasser
1 /1	Sarry J. Donohue, and John taberski Dissegared my objection
	Geer offender and that Violated My Due Process and Shows
	Secution on George C. Burgasser and the united States
	Free all It took was one hearing and my Due Process
	ieen Violated or their would have been no malicious
Prosecution i	t affects all above defendants Act's were Collusion.
The second secon	
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er-contamentation	
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did the following to me (briefly state what each defendant named above did):
The constitutional basis for this claim under 42 U.S.C. § 1983 is:
The relief I am seeking for this claim is (briefly state the relief sought):
Exhaustion of Your Administrative Remedies for this Claim:
Did you grieve or appeal this claim? Yes No If yes, what was the result?
Did you appeal that decision? Yes No If yes, what was the result?
Attach copies of any documents that indicate that you have exhausted this claim.
If you did not exhaust your administrative remedies, state why you did not do so:
If you have additional claims, use the above format and set them out on additional sheets of paper.
6. RELIEF SOUGHT
Summarize the relief requested by you in each statement of claim above.
In Fequestina 80,100,000,00 Bornillian one Hundred thousand Dallas
In Fequesting 80,100,000.00 Bornillian one Hundred thousand Dollar.  Bra As Felief even if Any Claim get's Dismissed.
Do you want a jury trial? Yes X No

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I declare under penalty of perjury that the foregoing is true and correct.				
Executed on $02/23/2019$				
(date)				
NOTE: Each plaintiff must sign this complaint and must also sign all subsequent papers filed with the Court.				
Clarence Northan Don't				
Signature(s) of Plaintiff(s)				

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12/13/2018	Q.	A status conference for all three pretrial defendants will occur on 9729/2016 at 2:00 PM to determine what further scheduling might be necessary. Time remains excluded because defendant Robertson's motions (Dkt. No. 199) remain pending but also is excluded 9/20/2016 through 9/29/2016 in the interest of justice for effective assistance of counsel.	ment '	1 <sup>13/201</sup> File(	0	adjourned to 2/1/2017 at 2:00 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion if applicable, due by 1/11/2017; notice by the defendant of government failure to
		SO ORDERED Issued by Hon. Hugh B. Scott on 9/20/2016.(GAI) (Entered: 09/20/2016)		le s	Lin	file 5K1.1 motion, if applicable, due by 1/17/2017; responses to objections and/or motions due by 1/18/2017; character letters and/or sentencing memorandum in support of
09/20/2016	498	***Status Conference set for 9/29/2016 02:00 PM before Hon. Hugh B. Scott.(GAI) (Entered: 09/20/2016)			100000	the defendant due by 1/18/2017; motions to adjourn sentencing due by 1/23/2017; final Presentence Investigation Report due by 1/25/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 1/25/2017; SO
09/23/2016	499	ORDER granting re 490 MOTION to Modify Conditions of Release as to James Hicks . Signed by Hon. Richard J. Arcara on 9/23/2016.(KM) (Entered: 09/23/2016)				ORDERED. Issued by Hon. Richard J. Arcara on October 22, 2016 (DJD), (Entered: 10/22/2016)
09/29/2016	501	Minute Entry for precedings held before Hen. Hugh B. Scott: Status Conference as to Michael Robertson, Damario James, Antwon Steward held on 9/29/2016.		10/24/2016	509	MOTION to Adjourn Sentencing Date by USA as to Demario Robbins. (Burgasser, George) (Entered: 10/24/2016)
	200	Defts request one more adjournment and status conference, as 2 of 3 defts are close to		10/24/2016	<u>  511</u>	Sealed Document as to Antwan Garner. (KM) (Entered: 10/26/2016)
	3	finalizing pleas. Court grants request but decides that schedule will need to be set at next proceedings.	*	10/25/2016		NOTICE OF SCHEDULING as to Damario James. Upon the informal request of counsel for the parties, Plea Agreement Hearing set for 10/27/2016 11:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 10/25/2016)
	14	Scheduling Conference set for 10/26/2016 02:00 PM. Time is excluded 9/29/2016 through 10/26/2016 in the interest of justice for effective assistance of counsel in securing a favorable pretrial resolution. Govt to submit order.		10/26/2016	510	Minute Entry for proceedings held before Hon. Hugh B. Scott Scheduling Conference as to Michael Robertson, Damario James, Antwon Steward held on 10/26/2016.
		Court advises Atty Schwartz that deft Steward will need to attend on 10/26 or a warrant will issue.			*	Atty Kooshoian requests 60 days to review discovery that has been produced and that he had requested. Court sets new schedule for the three remaining pretrial defts. Motions due by 12/28/2016. Responses due by 1727/2017. Oral Argument set for 2/2/2017 10:00
1		APPEAR: G. Burgasser (AUSA); P. Kooshoian for deft M. Robertson (present); P. Kooshoian for J. Leta for deft D. James (present); J. Schwartz for deft A. Steward (not present). (Court Reporter FTR Gold.)(GAI) (Entered: 09/29/2016)				AM.  Time remains excluded because defendant Robertson's motions (Dkt. No. 199) remain pending but also is excluded 10/26/2016 through 12/28/2016 in the interest of justice for
10/03/201	502	Minute Entry for proceedings held 10/3/2016 before Hon. Richard J. Arcara as to Deft, Andre Wise (11). Status Conference is held as to Violation of Supervised Release charge(s). Plea discussions ongoing. Buffalo City Court case is scheduled for proceedings				perluging but are is executive 10/20/2018 through 1/20/2016 in the interest of Justice for effective assistance of counsel, for motion preparation and a possible early resolution.  Govt to submit order.
V.		tomorrow. Parties request 30 days. A further Status Conference is scheduled for 11/2/2016 at 9:00 AM. Deft remains in custody. Appearances: Govt - George Burgasser, Deft - Leslie Scott (w/Deft), USPO - Scott Kawski (Court Reporter Megan Pelka.)(IDK)	A0000000000000000000000000000000000000			APPEAR: B. Cullinane (AUSA); P. Kooshoian for deft M. Robertson (present); J. Leta not present for deft D. James (present); P. Kooshoian for J. Schwartz for deft A. Steward (present). (Court Reporter FTR Gold.)(GAI) (Entered: 10/26/2016)
10/67/2010	563	(Entered: 10/03/2016)  MOTION to Adjourn Sentencing by USA as to Antwan Gamer. (Burgasser, George) (Entered: 10/07/2016)	Anticherology	10/27/2016		Set/Reset Hearings as to Damario James: Plea Agreement Hearing set for 10/28/2016 11:00 AM before Hon, Richard J. Arcara. (DJD) (Entered: 10/27/2016)
10/11/2016	504	Letter from Jerome Grant, dated 10/3/2016, to Hon. Arcara. (KM) (Entered: 10/11/2016)	Language and	10/27/2016		Minute Entry for proceedings held 10/27/2016 before Hon. Richard J. Arcara as to Deft, Damario James (3). Change of Plea proceeding previously scheduled for 10/27/2016 is
10/11/2016		SPEEDY TRIAL ORDER as to Michael Robertson, Damario James, Antwon Steward: 9/29/2015 through 10/26/2016. Signed by Hon. Hugh B. Scott on 10/11/2016.(GAI) (Exercid-10/11/2016).	Fee Cof			not held. The parties need to revise the Plea Agreement, Change of Plea is rescheduled for 10/28/2016 at 11/00/11-15 AM. Deft remains in custody. Appearances: Govt - George Burgasser; Deft - Herbert Greenman and Joseph Leta (with Deft) (Court Reporter Megan Pelka:)(DID) (Entered: 11/16/2016)
16/38/20( >	507	CJA 20 as .: Xavier Hill: Authorization to Pay John K. Jordan, Amount: \$ 4,469.90, Vouchar # 0209.0000641. Signed by Hon. Richard J. Arcara on 10/04/2016.(NRE) (Entered: 19/21/2016)		10/28/2016		Set/Reset Hearings as to Damario James: Sentencing set for 3/16/2017 12:30 PM before Hon. Richard J. Arcara, (DJD) (Entered: 11/12/2016)
		***Scheduling Conference set for 10/26/2016-02:00 PM for defts Robertson, James, Steward. (GAI) (Entered: 10/19/2016)		10/28/2016		Minute Entry for proceedings held 10/28/2016 before Hon. Richard J. Arcara as to Deft, Damario James (3). Change of Plea proceeding is held. Deft pleads guilty to Count 1 of the Indictment. Deft is remanded to the oustody of the U.S. Marshals Service pending
107,72,2016	508	TEXT ORDER as to defendant Antwan Garner (12). The United States filed 503 Motion to Adjourn Sentencing date of 10/26/2016. The motion is granted: Sentencing is	Andreas de la constitución de la	¥ ·		sentencing. The following schedule is established for the submission of sentencing papers: initial Presentence Investigation Report due by 4/30/2017, Statement with
https://ecf.nywd.uscour	ts.gov/cg	H-bin/DktRpLpl?626213859676694-L_1_0-1 85/13	26 1	nttps://ecf.nywd.uscou	rts.gov/c	y-bir/DkRpt.pr/626213859679694-L_1_0-1 86/12

https://ecf.nywd.uscourts.gov/cgi-bin/DktRpt.pl?626213859676694-L_1_0-1	

12/13/2018

85/	12	6	

		Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, go emittent notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 1/23/2017, notice by the detendant of government failure to file 5K1.1 motion, if applicable, due by 2/8/2017, responses to objections and/or motions due by 1/2/2017 character letters and/or sentencing memorandum in support of the defendant due by 3/2/2017, motions to adjourn sentencing due by 3/6/2017; final Presentence Investigation Report due by 3/9/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 3/9/2017. Sentencing is scheduled for 3/16/2017 at 12:30 PM before Hon, Richard J. Arcara. Appearance Gov. George Burgasser, Deft. Joseph Leta (with Deft); USPO-Ne Appearance-PROBATION NOTIFIED OF PLEA—(Court Reporter Megan Pelka.) (DJD) (Entered: 11/12/2016)	
10/25/2016	517	TEXT ORDER as to definite, Daviano James (3). The following schedule is a stisfied for the submission of sentencing papers: initial Presentence Investigation Report due by 1/30/2017; Statement with Respect to Sentencing Factors, objections and/or motions, including SKL1 inotion, government notice not to file SK1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 1/23/2017; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 2/28/2017; responses to objections and/or motions due by 3/2/2017; character letters and/or sentencing memorandum in support of the defendant due by 3/2/2017; motions to advorus a teacing due by 3'/2 2017, final Presentence Investigation Report due by 3/9/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 3/9/2017. SO ORDERED Issued by Hon, Richard J. Arcara on October 28, 2016 (DID) (Entered: 11/12/2016).	3
10/28/2016	1 <u>518</u>	PLFA AGREEMENT as to Damario James. (KM) (Entered: 11/15/2016)	
10/28/2016	<u>519</u>	Sealed Document as to Damario James. (KM) (Entered: 11/15/2016)	
11/01/2016	512	MOTION to Adjourn Sentencing by USA as in Benjamin Peoples. (Burgasser, George) (Entered: 11/01/2016)	-
11/02/2016	=	Set/Reset Hearings as to Andre Wise: Status Conference on Violation of Supervised Release set for 12/21/2016 09:00 AM before How Richard J. Arcara. (DJD) (Entered: 11/22/2016)	
11/02/2016		Minute Entry for proceedings held 11 2/2016 before Hon. Richard I. Arcara of to Deft, Andre Wise (11). Status Conference in held in collation of Supervised Release. Deft waives his appearance for today's proceeding. Deft was to be ordured vest-rich at his underlying state court matter, but was not produced, which was to be ordured vest-rich at his underlying state court matter, but was not produced, if for that proceeding. Further status conference is scheduled for 12/21/2016 at 9.00 xM. Deft remains in custody.  Appearances: Gov Goorge Burgasser; Deft. Lesbie Scott (without Deft) (Court Reporter Megan Pelka.)(DJD) (Entered; 11/22/2016)	
\$\frac{1}{2}\text{03/20:6}		TEXT ORDER as to defendant, Demario Robbins (15). The United States filed 202 Motion to Adjourn Sentencing Date of 11/8/2010. The motion is granted. Sentencing is adjourned to 3/6/2017 at 1:00 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Pactors, objections and or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 2/13/2017; rotice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 2/13/2017; rotice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 2/14/2017, responses to objections and/or motions due by 2/21/2017; motions to adjourn sentencing due by 2/24/2017, final Presentence Investigation Report due by 2/21/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 2/27/2017. SO	
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1	2/13/2018		CMECF LIVE(C) - U.S. District Court:nywd
180	510/2010		ORDERED. Issued by Hon. Richard J. Areara on November 3, 2016 (DJD) (Entered: 11/03/2016)
ii.	11/04/2016	514	MOTION to Adjourn Scateneing Date by USA as to Jerome Grant. (Burgasser, George) (Entered: 11/04/2016)
額 被	11/04/2016	515	Minute Entry for proceedings held 11/4/2016 before Hon. Richard J. Arcara as to Deft, James Hicks (14). Status Conference is held to set a sentencing date. Defense counsel is not present. Deft waives his appearance. For the reasons set forth on the record, the Govt requests a 6-month adjournment. Further Status Conference to set a sentencing date is scheduled for 5/4/2017 at 9:00 AM. Appearances. Govt - George Burgasser; Deft - No appearance, USPO - No appearance. (Court Reporter Megan Pelka.)(JDK) (Entered: 11/04/2016)
	11/10/2016	<u>516</u>	MOTION to Adjourn Sentencing date by USA as to Spencer Rogers. (Burgasser, George) (Entered: 11/10/2016)
	11/14/2016	520	Sealed Document as to Demario Robbins. (KM) (Entered: 11/15/2016)
	11/17/2016	521	TEXT ORDER as to defendant Benjamin Peoples (8). The United States filed 512 Motion to Adjourn Sentencing date of 11/21/2016. The motion is granted. Sentencing is adjourned to 3/10/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 2/17/2017; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 2/22/2017; responses to objections and/or motions due by 2/24/2017; character letters and/or sentencing memorandum in support of the defendant due by 2/24/2017; motions to adjourn sentencing due by 2/28/2017; final Presentence Investigation Report due by 3/3/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 3/3/2017. SO ORDERED. Issued by Hon. Richard J. Arcara on November 17, 2016 (DJD) (Entered: 11/17/2016)
1	11/17/2016	522	TEXT ORDER as to defendant, Spencer Rogers (7). The United States filed 516 Motion to Adjourn Sentencing date of 11/22/20 f. The motion is granted. Sentencing is adjourned to 3/15/2017 at 12.30 PM before Hon. Richard J. Arcara. The schedule for the subtransion of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 2/22/2017, notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 2/27/2017, responses to objections and/or motions due by 3/4/2017, character letters and/or sentencing memorandum in support of the defendant due by 3/4/2017, motions to adjourn sentencing due by 3/6/2017, final Presentence Investigation Report due by 3/8/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 3/8/2017. SO ORDERED Stated by Hon. Richard J. Arcara on November 17, 2016 (DJD) (Entered: 11/17/2016)
h	.1]/L7/2016	523	TEXT ORDER as to defendant. Jerome Grant (6). The defense filed 481 before to Adjourn he sensenting late of 11/23/2016, and United States filed 514 Motion to Adjourn Sentencing Date of 11/23/2016. The motions are granted. Sentencing is adjourned to 3/22/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows. Statement with Respect to Sentencing Pactors, objections and/or motions, including 581. I motion, government notice not to file 581.1 motion, government motion for extension of time to file 581.1 motion, if applicable, due by 3/1/2017; notice 12 the defendant of government failure to file 58/2017; character letters and/or sentencing memorandum in support of the 3/2017/sheatest letters and/or sentencing memorandum in support of the

12 13/2018	Case:1/:49 9 0 1/4 0 0 0 2 6 9 - LJV	Document 43201 Filed 03/01/19 Page 45 9 10 4 4 10 10 10 10 10 10 10 10 10 10 10 10 10
İ	(Entered: 07/26/2016)	motion if applicable, due by 10/18/2016; notice by the defendant of government failure to

13/2018		(Entered: 07/26/2016)
07/28/2016	466	MOTION for Extension of Time to File Criminal Motions by Damario James. (Leta, Joseph) (Entered: 07/28/2016)
07/29/2016	467	FEXT ORDER granting 466 Motion for Extension of Time to File as to Damario James (3). New schedule to follow.
		SO ORDERED. Issued by Hon. Hugh B. Scott on 7/29/2016.(GAI) (Entered: 07/29/2016)
07/29/2016	468	TEXT ORDER as to Michael Robertson, Damario James, Antwon Steward setting new pretrial schedule.  Motions due by 9/21/2016. Responses due by 10/19/2016. Oral Argument set for 10/26/2016 10:30 AM. Time remains excluded because defendant Robertson's motions (Dkt. No. 199) remain pending but also is excluded 7/29/2016 through 9/21/2016 in the interest of justice for discovery review and motion preparation if no early resolution occurs.
		The Court reminds all pretrial defendants that an exclusion of time for one defendant affects all defendants in a case absent a granting of a severance motion. See U.S. v. Vasquez, 918 F.2d 329, 337 (2d Cir. 1990) (holding that the Speedy Trial Act "imposes a unitary time clock on all co-defendants joined for trial") (citations omitted). Any defendants, who have filled motions already and seek adjudication before their co-defendants file should raise the issue of severance with the District Judge.
		SO ORDERED. Issued by Hon. Hugh B. Scott on 7/29/2016.(GAI) (Entered: 07/29/2016)
07/29/2016		Set/Reset Hearings as to James Hicks: Status Conference re: Sentencing set for 11/4/2016 at 09:00 AM before Hon. Richard J. Arcara. (JDK) (Entered: 07/29/2016)
07/29/2016	469	Minute Entry for proceedings held 7/29/2016 before Hon. Richard J. Arcara as to Deft, James Hicks (14), Oral Argument on Deft's 453 Motion for Release from Custody is held. USPO and Govt do not oppose release. The Court releases Deft pending the next court proceeding with the terms and conditions as set forth on the record and contained in USPO Memorandum dated 6/9/2016. Sentencing scheduled for 8/19/2016 is adjourned. Additional Status Conference re: Sentencing is scheduled for 17/4/2016 at 9:00 AM. Appearances: Govt George Burgasser; Deft - J. Glenm Davis; USPO - Lindsay Maza. (Court Reporter-Megan Pelka.)(JDK) (Entered: 08/01/2016)
07/29/2016	471	CJA 20 as to Aaron Glenn; Authorization to Pay Thomas Farley Jr., Amount: \$ 6590.30, Voucher # 02090000367 Signed by Hon. Richard J. Arcara on 06/07/2016.(NRE) (Entered: 08/01/2016)
08/01/2016	470	MOTION to Adjourn Sentencing by USA as to Jerome Grant. (Burgasser, George) (Entered: 08/01/2016)
08/02/2016	472	ORDER Setting Conditions of Release as to James Hicks (14) non financial. Signed by Hon. Richard J. Arcara on 7/29/2016.(KLH) (Entered: 08/02/2016)
08/03/2016	473	TEXT ORDER as to defendant, Demario Robbins (15). The United States filed 462 Motion to Adjourn Sentencing date of 8/8/2016. The motion is granted. Sentencing is adjourned to 11/8/2016 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1

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CM/ECF LIVE(C) - U.S. District Court:nywd 12/13/2018 478 | Sealed Document as to Spencer Rogers. (KLH) (Entered: 08/04/2016) 08/04/2016 Sealed Document as to Jerome Grant. (KLH) (Entered: 08/04/2016) 08/04/2016 479 Sealed Document as to Demario Robbins. (KLH) (Entered: 08/04/2016) 08/04/2016 08/09/2016 481 MOTION to Adjourn by Jerome Grant. (Donohue, Barry) (Entered: 08/09/2016) 08/11/2016 Set/Reset Hearings as to Xavier Hill; Sentencing set for 11/22/2016.01:00 PM before Hon, Richard J. Arcara. (DJD) (Entered: 08/12/2016) Minute Entry for proceedings held 8/11/2016 before Hon. Richard J. Arcara as to Deft, Xavier Hill (17). Sentencing proceeding previously scheduled for 8/11/2016 is not held. Defense counsel reports that he did not file a Statement with Respect to Sentencing 08/11/2016 Factors. Deft does not have any major issue with the Presentence Investigation Report, however Deft prefers that the sentencing be adjourned for 90-days. Sentencing is rescheduled for 11/22/2016 at 1:00 PM. Deft remains on release. Appearances: Govt-George Burgasser; Deft - John Jordan (with Deft); USPO - Lisa Ferraro (Court Reporter Megan Pelka.)(DJD) (Entered: 08/29/2016) Minute Entry for proceedings held 8/19/2016 before Hon. Richard T. Arcara as to Deft, Andre Wise (11). Initial Appearance is held as to Petition for Offender Under Supervisic (Supervised Release). AFPD Leslie Scotf appears with the Deft. Counsel for the Govt reads a summary of the Petition charge(s). The Courrenters a denial by the Deft. Deft 08/19/2016 requests a status conference in 45 days. Status Conference is scheduled for 10/3/2016 at 9:00 AM. Deft is remanded pending the next court proceeding. The defense requests a copy of the Presentence Investigation Report and the work sheet The Court grants the request and directs that defense counsel be provided with the requested reports. Appearances: Govt - Joel Violanti appearing for George Burgasser; Deft - Leslie Scott (with Deft); USPO - Scott Kawski (Court Reporter Megan Pelka.)(DJD) (Entered: 08/19/2016) Set/Reset Hearings as to Andre Wise: Status Conference on Violation of Supervised Release set for 10/3/2016 09:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 08/19/2016 08/19/2016) 08/23/2016 483 Arrest Warrant Returned Executed on 8/18/2016 in case as to Andre Wise. (KM) (Entered: 08/23/2016) 08/25/2016 Sealed Document as to James Hicks. (KM) (Entered: 08/29/2016) 486 08/26/2016 MOTION To Schedule Sentencing by Xavier Hill. (Jordan, John) (Entered: 08/26/2016) 484 STATEMENT WITH RESPECT TO SENTENCING FACTORS by Xavier Hill (Jordan, 08/26/2016 485 John) (Entered: 08/26/2016) TEXT ORDER as to defendant Xavier Hill (17). The defendant filed 484 Motion to Schedule Sentencing to an earlier date. The motion is granted. Sentencing is rescheduled for August 31, 2016 at 9:30 AM before Hon. Richard 1- Arcara. SO ORDERED. Issued by Hon. Richard J. Arcara on August 30, 2016.(DJD) (Entered: 08/30/2016) 08/30/2016 487 Minute Entry for proceedings held 8/31/2016 before Hon. Richard J. Arcara as to Deft, Xavier Hill (17), Count(s) 1 (Superseding Information). Sentencing is held. The Court accepts the terms and conditions of the plea agreement and the plea of guilty. The Presentence Investigation Report is placed in the record under seal. If an appeal is filed, counsel on appeal will-be permitted access to the sealed report, except that counsel on 08/31/2016 appeal will not be permitted access to the recommendation section. Deft is committed to the custody of the Bureau of Prisons for a term of 90 days; the cost of incarceration fee is waived. Upon release from incarceration, the Deft shall be placed on supervised release

Ć.	Special states	motion in applicacie, due by 1/18/2016, include by the detendant of government nature to file 5K1.1 motion, if applicable, due by 10/24/2016; responses to objections and/or motions due by 10/25/2016; character letters and/or sentencing memorandum in support of the defendant due by 10/25/2016; motions to adjourn sentencing due b: 10/28/2016; final Presentence Investigation Report due by 11/1/2016; government's response papers to legal arguments in defendant's sentencing memorandum due by 11/1/2016. SO ORDERED, Issued by Hon. Richard J. Arcara on August 3, 2016.(DJD) (Entered: 08/03/2016)
08/03/2016	474	TEXT ORDER as to defendant, Benjamin Peoples (8). The United States filed 464 Motion to Adjourn Sentencing date of 8/12/2016. The motion is granted. Sentencing is adjourned to 11/21/2016 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion if applicable, due by 10/31/2016; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 11/4/2016; responses to objections and/or motions due by 11/7/2016; motions to adjourn sentencing memorandum in support of the defendant due by 11/7/2016; motions to adjourn sentencing due by 11/10/2016; final Presentence Investigation Report due by 11/14/2016; government's response papers to
	-41	legal arguments in defendant's sentencing memorandum due by 11/14/2016. SO ORDERED, Issued by Hon. Richard J. Arcara on August 3, 2016.(DJD) (Entered: 08/03/2016)
08/03/2016	475	TEXT ORDER as to defendant, Spencer Rogers (7). The United States filed 463 Motion to Adjourn Sentencing date of 8/15/2016. The motion is granted. Sentencing is
Conscience	and the second	adjourned to 11/12/2016 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Senténcing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 11/1/2016; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 11/1/2016; responses to objections and/or motions due by 11/8/2016; character letters and/or sentencing memorandum in support of the defendant due by 11/8/2016; motions to adjourn sentencing due by 11/10/2016; final Presentence Investigation Report due by 11/15/2016; government's response papers to legal arguments in defendant's sentencing memorandum due by 11/15/2016. SO ORDERED, Issued by Hon. Richard J. Arcara on August 3, 2016.(DJD) (Entered: 08/03/2016)
08/03/2016	476	TEXT ORDER as to defendant, Jerome Grant (6). The United States filed 470 Motion to Adjourn Sentencing date of 8/22/2016. The motion is granted. Sentencing is adjourned to 11/23/2016 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the
Ć.		submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion of government motion for extension of time to file 5K1.1 motion if applicable, due by 11/2/2016; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 11/2/2016; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 11/7/2016; responses to objections and/or motions due by 11/9/2016; Character letters and/or sentencing memorandum in support of
Carrier		the defendant due by 11/9/2016; motions to adjourn sentencing due by 11/14/2016; final Presentence Investigation Report due by 11/16/2016; government's response papers to legal arguments in defendant's sentencing memorandum due by 11/16/2016. SO ORDERED: Issued by Hon-Richard J. Arcara on August 3, 2016.(DJD) (Entered: 08/03/2016)
08/04/2016	477	Sealed Document as to Benjamin Peoples. (KLH) (Entered: 08/04/2016)
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13/2018		CM/ECF LIVE(C) - U.S. District Court:nywd
and a control of the	enter de la companya	for a term of 1 year with standard and special conditions. No fine, Deft to pay \$100.00 mandatory assessment, due immediately, Deft is remanded. The Court grants the Govt's oral motion to dismiss the Indictment in 14 CR-134 as to this Deft. Appearances: Govt-George Burgasser; Deft - John Jordan (with Deft); USPO - John Taberski appearing for Lisa Ferraro (Court Reporter Megan Pelka)(DJD) Modified on 8/31/2016 (DJD). (Entered: 08/31/2016)
09/01/2016	488	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Xavier Hill. (KM) (Entered: 09/01/2016)
09/02/2016	489	MOTION to Adjourn Court's Sentencing Date by USA as to Demetrius Holmes. (Burgasser, George) (Entered: 09/02/2016)
09/05/2016	490	MOTION to Modify Conditions of Release by James Hicks. (Davis, J.) (Entered: 09/05/2016)
09/06/2016	491	TEXT ORDER as to James Hicks: The Government and the United States Probation Office shall each respond to defendant's motion to modify his bail conditions 490 on or before September 12, 2016, SO.ORDERED. Issued by Hon. Richard J. Arcara on 9/6/16. (LAS) (Entered: 09/06/2016)
09/06/2016	493	TUDOMENT as to Xavier Hill (17). Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. Arcara on 9/2/2016 (KM) (Entered: 09/08/2016)
09/07/2016	492	TEXT ORDER as to defendant, Demetrius Holmes (13). The United States filed 489 Motion to Adjourn Sentencing date of 9/23/2016. The motion is granted. Sentencing is adjourned to 12/22/2016 at 12:00 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion if applicable, due by 12/1/2016; notice by the defendant of government failure to file 5K1.1 motion; if applicable, due by 12/6/2016; responses to objections and/or motions due by 12/8/2016; character letters and/or sentencing memorandum in support of the defendant due by 12/8/2016; motions to adjourn sentencing due by 12/12/2016; final Presentence Investigation Report due by 12/15/2016; government's response papers to legal arguments in defendant's sentencing memorandum due by 12/15/2016. SO ORDERED. Issued by Hon. Richard J. Arcara on September 7, 2016 (DJD) (Entered: 09/07/2016)
09/08/2016	494	Sealed Document as to Demetrius Holmes. (KM) (Entered: 09/08/2016)
09/12/2016	<u>495</u>	RESPONSE to Motion by USA as to James Hicks re 490 MOTION to Modify Conditions of Release (Burgasser, George) (Entered: 09/12/2016)
09/15/2016	500	CJA 20 as to Ikeem Lyons: Authorization to Pay James Auricchio. Amount: \$5686.90, Voucher #.02090000397. Signed by Hon. Richard J. Arcara on 8/1/2016.(KM) (Entered: 09/23/2016)
09/19/2016	496	MOTION to Adjourn Filing-of Motions by Damario James. (Leta, Joseph) (Entered: 09/19/2016)
09/20/2016	497	TEXT ORDER granting 496 Motion to Adjourn Motions Deadline as to Damario James (3).
	-	The current motion schedule (Dkt. No. 468) is vacated for all three remaining pretrial defendants defendants Robertson, James, and Steward.

***	New York Co.	George Burgasser Dens Posid Seduc 1897 106269Courd Aporter Mee CUI Pelka (IDK) (Entered: 05/19/2017)	ment 1	L <sub>05/3</sub> <mark>F2</mark> ∳l@d	03	Spencer Rogers. Status Conference is held regarding Deft's 624 Motion for Extension of
05/23/2017	626	TEXT ORLER as to defendant Spencer Rogers (7). The defense filed 624 First Motion for Extension of Time to File Objections to Presentence Investigation Report and other relief. A status conference on the motion is scheduled for May 31, 2017 at 9:00 AM before Hon. Richard J. Arcara. Defendant is to be produced for the status conference. SO ORDERED. Issued Signed by Hon. Richard J. Arcara on May 23, 2017.(DJD) (Entered: 05/23/2017)	40			Time to File Objections to the Presentence Investigation Report. The defense needs time to review the Presentence Investigation Report with the Deft. In addition, Deft needs to resolve his state parole violation before he is sentenced federally. The Court recesses to afford defense counsel and Deft an opportunity to discuss matters. Proceedings resume. The Govt reports that it filed 630 Motion to Adjourn the 6/15/2017 sentencing. The Court orally grants the motion. Sentencing is adjourned to 9/8/2017 at 12:30 PM. Defense counsel requests that USMS house Deft closer to Buffalo. The Court recommends that
05/25/2017	627	MOTION to Adjourn by Antwon Steward. (Attachments: #1 Certificate of Service) (Schwartz, Jeremy) (Entered: 05/25/2017)			The second section of the sect	USMS house Deft at a facility closer to Buffalo. Deft remains in custody. Appearances: Govt - George Burgasser; Deft - Alan Hoffman; USPO - Lisa Ferraro (Court Reporter Megan Pelka.)(DJD) (Entered: 05/31/2017)
05/25/2017	628	TEXT ORDER as to defendant, Antwon Steward (5). The defense filed 627 Motion to Adjourn the May 26, 2017 status conference. The motion is granted. The status conference is adjourned to June 27, 2017 at 9:00 AM before Hon. Richard J. Arcara. As		05/31/2017		Set/Reset Hearings as to Spencer Rogers; Sentencing set for 9/8/2017 12:30 PM before Hon. Richard J. Arcara. (DJD) (Entered: 05/31/2017)
		set forth in the motion papers, the defense is unavailable on May 26, 2017 due to other obligations and agrees that the time between May 26, 2017 and June 27, 2017 be excluded under the Speedy Trial Act. Further, the defense sets forth in the motion papers that the parties are continuing plea negotiations and further time is required to explore all options for a pretrial disposition. The Court finds that interests of justice served by a continuance, namely the potential certainty and efficiency of a disposition by voluntary guilty plea, allowing the defendant potentially to obtain a more favorable sentence by accepting responsibility, and preserving continuity of defense counsel are interests of justice that together outweigh the best interests of the defendant and the public in a speedy trial. Therefore, the time from and including May 26, 2017 through and including June 27, 2017 is excluded for Speedy Trial Act purposes pursuant to Title 18 U.S.C. Section 316 (h)(7)(A) and 316 (h)(7)(B)(iv). SO ORDERED. Issued by Hon. Richard J. Arcara on May 25, 2017 (DJD) (Entered: 05/25/2017)		05/31/2017	633	TEXT ORDER as to defendant, Spencer Rogers (7). The United States filed 630 Motion to Adjourn the 6/15/2017 sentencing. The Court orally granted the motion at court proceedings held on 5/31/2017. Sentencing is adjourned to 9/8/2017 at 12:30 PM before Hon. Richard J. Arcara, The schedule for the submission of sentencing papers is amended as follows; Statement with Respect to Sentencing Factors, objections and/or motions, including 5/Kl.1 motion, government notice not to file 5/Kl.1 motion, or government motion for extension of time to file 5/Kl.1. motion if applicable, due by 8/18/2017; notice by the defendant of government failure to file 5/Kl.1. motion, if applicable, due by 8/23/2017; responses to objections and/or motions due by 8/25/2017; character letters and/or sentencing infemorandum in support of the defendant due by 8/25/2017; motions to adjourn sentencing due by 8/29/2017; final Presentence Investigation/Report due by 9/1/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 9/1/2017. SO ORDERED. Issued by Hon.
05/25/2017	<u>629</u> °	MOTION to Adjourn COURT'S SENTENCING DATE by USA as to Benjamin Peoples. (Burgasser, George) (Entered: 05/25/2017)		05/31/2017	634	Richard J. Arcara on May 31, 2017 (DID) (Entered 05/31/2017)  TEXT ORDER as to defendant, Benjamin Peoples (8). The United States filed 629
05/25/2017	<u>630</u>	MOTION to Adjourn SENTENCING DATE by USA as to Spencer Rogers. (Burgasser, George) (Entered: 05/25/2017)	9		STATE OF THE PERSON NAMED IN	Motion to Adjourn the 6/14/2017 sentencing date. The motion is granted. Sentencing is adjourned to 9/14/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to
05/30/2017	631	TEXT ORDER as to defendant, James Hicks (14). This matter was previously scheduled for a status conference on May 4, 2017. The United States filed 609 Motion to Adjourn the May 4, 2017 sentencing. The Court will construct the motion to be a request to adjourn the status conference. The motion is granted nune pro tune. The status conference to set a sentencing date is adjourned to August 4, 2017 at 9:00 AM before Hon. Richard J. Arcara SO ORDERED. Issued by Hon. Richard J. Arcara on May 30, 2017.(DJD) (Entered: 05/30/2017)	mental according to the second		PARTICION CONTRACTOR AND	Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1/motion, or government motion for extension of time to file 5K1.1 motion if applicable, due by 8/24/2017; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 8/29/2017; responses to objections and/or motions due by 8/31/2017; character letters and/or sentencing memorandum in support of the defendant due by 8/31/2017; motions to adjourn sentencing due by 9/5/2017; final Presentence Investigation Report due by 9/7/2017; government's response papers to legal
05/30/2017	632	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Sentencing Proceedings as to Jerome Grant held on 3/22/2017 before Judge Richard J. Arcara. Court		gi .		arguments in defendant's sentencing memorandum due by 9/7/2017. SO ORDERED. Issued by Hon. Richard J. Arcara on May 31, 2017.(DJD) (Entered: 05/31/2017)
	a a market supers	Reporter/Transcriber Megan E. Pelka, RPR, Telephone number 716-364-6449. Transcript may be viewed at the court public terminal or purchased through the Court		05/81/2017	636 637	Sealed Document, (KM) (Entered: 06/01/2017) Sealed Document, (KM) (Entered: 06/02/2017)
The same of the sa	A Marie Mariana	Reporter/Transcriper before the deadline for Release of Transcript Restriction. After that date it final be obtained through PACER. Redaction Request due 6/20/2017. Redacted Transcript Deadline set for 6/30/2017: Release of Transcript Restriction set for		06/01/2017	638	Sealed Document. (KM) (Entered: 06/02/2017)
05/30/2017	626	8/28/2017. (KM) (Entered: 05/30/2017)		06/07/2017	639	CJA 20 as to Jerome Grant: Authorization to Pay Barry J. Donohue. Amount: \$ 6,591.60, Voucher #0209.0001197. Signed by Hon. Richard J. Arcara on 5/25/2017.(KM) (Entered:
US/30/2017	<u>635</u>	JUDGMENT for Revocation of Probation or Supervised Release as to Xavier Hill (17), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. Areara on 5/25/2017.(KM) (Entered: 06/01/2017)		06/14/2017	640	06/08/2017)  CJA 24 as to Jerome Grant: Authorization to Pay Megan E. Pelka \$62.05 for Transcript, Voucher # 0209.0185374. Signed by Hon. Richard J. Arcara on 6/1/2017.(KLH)
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2/13/2018		CM/ECF LIVE(C) - U.S. District Court:nywd
200		(Entered: 06/14/2017)
06/23/2017	641	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Michael Robertson. (Diebel, Patricia) (Entered: 06/23/2017)
06/27/2017	642	NOTICE OF ATTORNEY APPEARANCE Wei Xiang appearing for USA. [Removing George C. Burgasser] (Xiang, Wei) (Entered: 06/27/2017)
06/27/2017		Set/Reset Hearings as to Antwon Steward: Plea Agreement Hearing set for 8/9/2017 09:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 06/27/2017)
06/27/2017		Minute Entry for proceedings held 6/27/2017 before Hon. Richard J. Arcara as to Deft, Antwon Steward (5). Status Conference is held to set a date for a trial or plea. The Govt reports that an approved plea agreement has been presented to defense counsel which requires review with the Deft. Change of plea proceeding is scheduled for 8/9/2017 at 9:00 AM. Time is excluded; Govt to submit a Speedy Trial Act Order. Deft remains on release. Appearances: Govt - George Burgasser, Deft - Phil Modrzynski appearing for Jeremy Schwartz (without Deft) (Court Reporter Megan Pelka.)(DJD) (Entered: 06/27/2017)
06/27/2017		Attorney update in case as to Marcel Worthy, Michael Robertson, Damario James, Shawntorrian Travis, Antwon Steward, Jerome Grant, Spencer Rogers, Benjamin Peoples, Fred Johnson, Ikeem Lyons, Andre Wise, Antwan Garner, Demetrius Holmes, James Hicks, Demario Robbins, Aaron Glenn, Xavier Hill. Attorney George C. Burgasser terminated. (KLH) (Entered: 06/28/2017)
06/28/2017	643	ORDER TO CONTINUE - Ends of Justice as to Antwon Steward Time excluded from 6/27/2017 until 8/9/2017. Signed by Hon. Richard J. Arcara on 6/28/2017.(KM) (Entered: 06/29/2017)
07/11/2017	604	TEXT ORDER as to defendant, Damario James. The defendant submitted papers for bail. Response papers are due by July 14, 2017. Oral Argument is scheduled for July 19, 2017 at 9:00 AM before Hon. Richard J. Arcara. SO ORDERED. Issued by Hon. Richard J. Arcara on July 11, 2017.(DJD) (Entered: 07/11/2017)
07/11/2017	643	Sealed Document. (KM) (Entered: 07/13/2017)
07/13/2017	645	STATEMENT WITH RESPECT TO SENTENCING FACTORS by USA as to Michael Robertson (Xiang, Wei) (Entered: 07/13/2017)
07/13/2017	646	SENTENCING MEMORANDUM by Demetrius Holmes (Attachments: # 1 Exhibit A - Plans and Goals, # 2 Exhibit B - Sentencing Letter, # 2 Exhibit C - Sentencing Letter, # 4 Certificate of Service)(Griebel, Daniel) (Entered: 07/13/2017)
07/13/2017	<u>647</u>	NOTICE by Demetrius Holmes of Failure to File 5K1 Motion (Attachments: # 1 Certificate of Service)(Griebel, Daniel) (Entered: 07/13/2017)
07/14/2017	<u>653</u>	Sealed Document. (KM)(Document received 7/19/2017) (Entered: 07/21/2017)
07/17/2017	649	MOTION to Adjourn Sentencing date by USA as to Antwan Garner. (Xiang, Wei) (Entered: 07/17/2017)
07/17/2017	<u>650</u>	MOTION to Adjourn to object to PSR by Michael Robertson. (Kooshoian, Peter) (Entered: 07/17/2017)
07/18/2017	651	TEXT ORDER as to defendant, Michael Robertson (2). The defense filed 650 Motion for an extension of time to file objections to the Presentence Investigation Report. The motion is granted. The schedule for the submission of sentencing papers is extended as follows:Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government

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motion for extension of time to file 5K1.1 motion if applicable, due by 7/31/2017; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 8/4/2017; responses to objections and/or motions due by 8/7/2017; character letters and/or sentencing memorandum in support of the defendant due by 8/7/2017; motions to and/or sentencing the by 8/11/2017, final presentence Investigation Report due by 8/11/2017, final presentence Investigation Report due by 8/14/2017, government's response papers to legal arguments in defendant's sentencing memorandum due by 8/14/2017. The extended schedule necessitates the rescheduling of the sentencing date. The sentencing is rescheduled for 8/15/2017 at 1:30 PM before Hon. Richard J. Arcara. SO ORDERED. Issued by Hon. Richard J. Arcara on July 18, 2017.(DJD) (Entered: 07/18/2017) 652. TEXT ORDER as to defendant, Antwan Garner (12). The United States filed 649
Motion to Adjourn-Sentencing date of 8/9/2017. The motion is granted. Sentencing is
adjourned to 2/9/2018 at 12:30 PM before Hon. Richard J. Arcara. The schedule for 07/18/2017 suportined to 27-200 at 12-200 and 12-200 an the defendant due by 1/26/2018; motions to adjourn sentencing due by 1/30/2018; final Presentence Investigation Report due by 2/2/2018; government's response papers to legal arguments in defendant's sentencing memorandum due by 2/2/2018. SO ORDERED. Issued by Hon. Richard J. Arcara on July 18, 2017 (DJD) (Entered: 07/18/2017) 07/19/2017 654 Sealed Document. (KM) (Entered: 07/21/2017) 07/19/2017 Minute Entry for proceedings held 7/19/2017 before Hon. Richard J. Arcara as to Deft, Damario James (3). Oral Argument is held as to Deft's Motion for Bail. The Court reserves decision. The Court will render a decision by 7/21/2017. The defense informs the Court that the Deft's family will post bail and sign a bond if the Court so determines it to be appropriate. Deft remains in custody. Appearances: Govt - Wei Xiang; Deft - Joseph Leta; USPO - Melissa Linton (Court Reporter Megan Pelka.)(DJD) (Entered: 08/14/2017) 07/21/2017 655 REVISED PRESENTENCE INVESTIGATION REPORT (Sealed) as to Demetrius Holmes. (Hartman, Justine) (Entered: 07/21/2017) 07/21/2017 656 RECOMMENDATION (Sealed) as to Demetrius Holmes. (Hartman, Justine) (Entered: 07/21/2017) ORDER as to Damario James: The defendant's bail motion is denied for the reasons outlined in the attached Order. SQ ORDERED, Signed by Hon. Richard J. Arcara on 7/20/17.(LAS) (Entered: 07/21/2017) 07/21/2017

RECOMMENDATION (Sealed) as to Michael Robertson. (Diebel, Patricia) (Entered:

CJA 20 as to Demario Robbins: Authorization to Pay Daniel J. Henry. Amount: \$ 5,466.71, Voucher # 0209-0452013. Signed by Hon. Richard J. Arcara on 6/9/2017.

Minute Entry for proceedings held 7/27/2017 before Hon. Richard J. Arcara as to Deft, Demetrius Holmes (13), Count(s) 1 (Superseding Information). Sentencing is held. The Court accepts the terms and conditions of the plea agreement and the plea of guilty. The Presentence Investigation Report is placed in the record under seal. If an appeal is filed, counsel on appeal will be permitted access to the sealed report, except that counsel on

07/24/2017)

(KLH) (Entered: 07/26/2017)

07/24/2017

07/25/2017

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memorandum in support of the detendant due by 7th 372017; motions to adjournment's response papers to legal arguments in defendant's Motions government's response papers to legal arguments in defendant's sentencing memorandum due by 7720/2017; SO (DRIRED. Issued by Hon. Richard J. Arcara on April 11, 2017. (DDD) (Entered: 04/11/2017)  04/12/2017  595  TEXT ORDER granting 595 Motion to Adjoum Government's Response to Defendant's Motions by USA as to Michael Robertson. (Burgasser, George) (Entered: 04/12/2017)  04/12/2017  596  TEXT ORDER granting 595 Motion to Adjoum Government response to pretrial motions as to Michael Robertson (2). New schedule to follow.  SO GNDERED, Issued by Hon. Hugh B. Scott on 4/12/2017, (GAI) (Entered: 04/12/2017)  197  TEXT ORDER as to Michael Robertson, Antwor Steward setting new pretrial schedule. The Government will file any responding papers on or before 51/17/2017. Oral Argument is re-act for 5/24/2017 at 11:00 AM, defendant Stoward will need to be present even though he appears not to have filed motions.  Time remains excluded because pretrial motions remain pending.  SO ORDERED. Issued by Hon. Hugh B. Scott on 4/12/2017, (GAI) (Entered: 04/12/2017)  04/13/2017  599  MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: #1 Exhibit A, #2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  04/19/2017  599  590  SENTENCING MEMORANDUM by Demario Robbins (Attachments: #1 Exhibit A, #2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  04/20/2017  NOTICE OF RESCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 42/5/2017 10:30 AM before Hon. Richard J. Arcara. (DD) (Entered: 04/20/2017)  NOTICE OF SENDER as to defendant, Antware Color of Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DD) (Entered: 04/20/2017)  04/21/2017  04/21/2017  04/21/2017  04/21/2017  04/21/2017  04/21/2017  100  100  100  100  100  100  100				
by USA as to Michael Robertson. (Burgasser, George) (Entered: 04/12/2017)  756  TEXT ORDER granting 595 Motion to Adjourn Government response to pretrial motions as to Michael Robertson (2). New schedule to follow.  SO ORDERED, Issued by Hön. Hugh B. Scott on 4/12/2017. (GAI) (Entered: 04/12/2017)  757  TEXT ORDER as to Michael Robertson, Antwon Steward setting new pretrial schedule.  The Government will file any responding papers on or before 5/17/2017. Oral Argument is re-set for 5/24/2017 at 11:00 AM; defendant Steward will need to be present even though he appears not to have filed motions.  Time remains exoluded because pretrial motions remain pending.  SO ORDERED. Issued by Hon. Hugh B. Scott on 4/12/2017. (GAI) (Entered: 04/12/2017)  800  801/13/2017  801  801/13/2017  802  802  803  804  804  804  807  804  804  807  807	2/13/2018	ugidada Karangan	sentencing due by 7/1/7/2017; final Presentence Investigation Report due by 7/20/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 7/20/2017, SO ORDERED. Issued by Hon. Righārd J. Arcara on April 11, 2017.	ient 1 <sup>t</sup>
as to Michael Robertson (2). New schedule to follow.  SO ORDERED, Issued by Hon. Hugh B. Scott on 4/12/2017. (GAI) (Entered: 04/12/2017)  TEXT ORDER as to Michael Robertson, Antwon Steward setting new pretrial schedule. The Government will file any responding papers on or before 5/17/2017. Oral Argument is re-set for 5/24/2017 at 11:00 AM; defendant Steward will need to be present even though he appears not to have filed motions.  Time remains excluded because pretrial motions remain pending.  SO ORDERED. Issued by Hon. Hugh B. Scott on 4/12/2017. (GAI) (Entered: 04/12/2017)  500 Sealed-Document. (KM) (Entered: 04/19/2017)  501 MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: # 1 Exhibit Returned nvelope, # 2 Exhibit Draft Notice of App)(Donohue, Barry) (Entered: 04/17/2017)  502 SENTENCING MEMORANDUM by Demario Robbins (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  503 OA/20/2017  504 MOTION to Adjourn the Court's Sentencing Date by USA as to Antwan Gamer. (Burgasser, George) (Entered: 04/20/2017)  504 NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  504 TEXT ORDER as to defendant, Antwan Garner (12). The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017, The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  504 TEXT ORDER as to defendant, Antwan Garner (12). The United States filed 601 Motion for the submission of sentencing papers is amended as follows; Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1,1 motion; government notion if applicable, due by 7/19/2012 and for by the defendant of government failure to file 5K1.1 motion; if applicable, due by 7/19/2012 renotions for adjourn sentencing d		<u>595</u>		
The Government will file any responding papers on or before 5/17/2017. Oral Argument is re-set for 5/24/2017 at 11:00 AM; defendant Steward will need to be present even though he appears not to have filed motions.  Time remains excluded because pretrial motions remain pending.  SO ORDERED. Issued by Hon. Hugh B. Scott on 4/12/2017.(GAI) (Entered: 04/12/2017)  600 Sealed Document. (KM) (Entered: 04/19/2017)  MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: # 1 Exhibit Returned nvelope, # 2 Exhibit Draft Notice of App)(Donohue, Barry) (Entered: 04/17/2017)  601 MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  602 SENTENCING MEMORANDUM by Demario Robbins (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  MOTION to Adjourn The Court's Sentencing Date by USA as to Antwan Garner. (Burgasser, George) (Entered: 04/20/2017)  NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/20/2017)  04/21/2017 602 TEXT ORDER as to defendant, Antwan Garner (12). The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  04/21/2017 602 TEXT ORDER as to defendant, Antwan Garner (12). The United States filed 601 Motion to Adjourn the Court's Sentencing papers is amended as follows. Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1.1 motion, government notion for extension of time to file 5K.1.1 motion, if applicable, due by 7/14/2017; responses to objections and/or motions due by 7/26/2017; inotions to adjourn sentencing due by 7/31/2017; final Presentence-Investigation Repor	04/12/2017	596	as to Michael Robertson (2). New schedule to follow.  SO ORDERED. Issued by Hon. Hugh B. Scott on 4/12/2017. (GAI) (Entered:	
SO ORDERED. Issued by Hon. Hugh B. Scott on 4/12/2017.(GAI) (Entered: 04/13/2017)  04/13/2017 500 Sealed Document. (KM) (Entered: 04/19/2017)  04/17/2017 598 MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: # 1 Exhibit Returned nvelope, # 2 Exhibit Draft Notice of App)(Donohue, Barry) (Entered: 04/17/2017)  04/19/2017 599 SENTENCING MEMORANDUM by Demario Robbins (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  04/20/2017 601 MODION to Adjourn The Court's Sentencing Date by USA as to Antwan Garner. (Burgasser, George) (Entered: 04/20/2017)  04/20/2017 NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/20/2017)  04/21/2017 NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  04/21/2017 602 TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1.1 motion, government notice not to file 5K.1.1 motion, or government motion for extension of time to file 5K.1.1 motion if applicable, due by 7/19/2017; responses to objections and/or motions due by 7/16/2017; The Arcaracter letters and/or sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017; governments response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017; So O RDERED.	04/12/2017	597	The Government will file any responding papers on or before 5/17/2017. Oral Argument is re-set for 5/24/2017 at 11:00 AM; defendant Steward will need to be present even	
04/13/2017 600 Sealed Document. (KM) (Entered: 04/19/2017) 04/17/2017 598 MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: #1 Exhibit Returned nvelope, #2 Exhibit Draft Notice of App)(Donohue, Barry) (Entered: 04/17/2017) 04/19/2017 599 SENTENCING MEMORANDUM by Demario Robbins (Attachments: #1 Exhibit A, #2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017) 04/20/2017 601 MOTION to Adjourn The Court's Sentencing Date by USA as to Antwan Gamer. (Burgasser, George) (Entered: 04/20/2017) 04/20/2017 NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/20/2017) 04/21/2017 000 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017) 04/21/2017 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017) 04/21/2017 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017) 04/21/2017 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017) 04/21/2017 10:30 AM before Hon. Richard J. Arcara. The schedule for the submission of sentencing pate of 5/5/2017, The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1.1 motion, government notice not to file 5K.1.1 motion, or government motion for extension of time to file 5K.1.1 motion if applicable, due by 7/19/2017; notice by the defendant of government failure to file 5K.1.1 motion, if applicable, due by 7/24/2017; responses to objections and/or motions due by 7/26/2017; character letters and/or, sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; governments response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. So O RDERED.	€ Marketonia	agentification of the second	A CONTRACTOR OF THE PARTY OF TH	
04/17/2017 598 MOTION for Extension of Time to File Notice of Appeal by Jerome Grant. (Attachments: #1 Exhibit Returned nvelope, #2 Exhibit Draft Notice of App)(Donohue, Barry) (Entered: 04/17/2017)  04/19/2017 599 SENTENCING MEMORANDUM by Demario Robbins (Attachments: #1 Exhibit A, #2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  04/20/2017 601 MOTION to Adjourn The Court's Sentencing Date by USA as to Antwan Gamer. (Burgasser, George) (Entered: 04/20/2017)  NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/20/2017)  NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017. 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  04/21/2017 602 TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1.1 motion, government notice not to file 5K.1.1 motion, or government motion for extension of time to file 5K.1.1 motions due by 7/19/2017; notice by the defendant of government failure to file 5K.1.1 motion, if applicable, due by 7/19/2017; responses to objections and/or motions due by 7/26/2017; fortacacter letters and/or sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017; governments response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017; SO ORDERED.	Lauren	rideriddisid	04/12/2017)	
# J. Exhibit Returned nvelope, # 2 Exhibit Draft Notice of App)(Donohue, Barry) (Entered: 04/17/2017)  999 SENTENCING MEMORANDUM by Demario Robbins (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  04/20/2017 601 MOZION to Adjourn The Court's Sentencing Date by USA as to Antwan Garner. (Burgasser, George) (Entered: 04/20/2017)  NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DID) (Entered: 04/21/2017)  NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017 10:30 AM before Hon. Richard J. Arcara. (DID) (Entered: 04/21/2017)  04/21/2017 602 TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1. motion, government notice not to file 5K.1.1 motion, or government motion for extension of time to file 5K.1.1 motion if applicable, due by 7/19/2017; notice by the defendant of government failure to file 5K.1.1 motion, if applicable, due by 7/24/2017; responses to objections and/or motions due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED.				
Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)  04/20/2017  601  MOTION to Adjourn The Court's Sentencing Date by USA as to Antwan Garner. (Burgasser, George) (Entered: 04/20/2017)  04/20/2017  NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/20/2017)  NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017, 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  04/21/2017  602  TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows. Statement with Respect to Sentencing Factors, objections and/or motions, including 3K1.1 motion, government motion for extension of time to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motions die by 7/19/2012, notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 7/19/2017; responses to objections and/or motions due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED.	04/17/2017	598	# 1 Exhibit Returned nvelope, # 2 Exhibit Draft Notice of App)(Donohue, Barry)	
(Burgasser, George) (Entered: 04/20/2017)  04/20/2017  NOTICE OF RESCHEDULING as to defendant Xavier Hill (17). The April 21, 2017 Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon. Richard T. Arcara. (DJD) (Entered: 04/20/2017)  NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1. motion, government notice not to file 5K.1. motion, or government motion for extension of time to file 5K.1. motion if applicable, due by 7/19/2017; notice by the defendant of government failure to file 5K.1. motion; if applicable, due by 7/24/2017; responses to objections and/or motions due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED.	04/19/2017	<u>599</u>	SENTENCING MEMORANDUM by Demario Robbins (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Henry, Daniel) (Entered: 04/19/2017)	
Violation of Supervised Release Status Conference is adjourned by the Court to April 28, 2017 at 9:00 AM before Hon, Richard J. Arcara. (DJD) (Entered: 04/20/2017)  NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017, 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)  O4/21/2017  602  TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017, The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows. Statement with Respect to Sentencing Factors, objections and/or motions, including 5K.1.1 motion, government notice not to file 5K.1.1 motion, or government motion for extension of time to file 5K.1.1 motion if applicable, due by 7/14/2017; notice by the defendant of government failure to file 5K.1.1 motion, if applicable, due by 7/24/2017; responses to objections and/or motions due by 7/26/2017; character letters and/or sentencing free motion for motions due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence-Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED.	04/20/2017	601		
425/2017.10:30 AM before Hon. Richard J. Arcara. (DID) (Entered: 04/21/2017)  04/21/2017  602  TEXT ORDER as to defendant, Antwan Garner (12): The United States filed 601 Motion to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted. Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 3K1.1 motion; government motion for extension of time to file. 5K1.1 motion, or government motion for extension of time to file. 5K1.1 motion; if applicable, due by 7/19/2012; notice by the defendant of government failure to file.5K1.1 motion; if applicable, due by 7/19/2017; responses to objections and/or motions due by 7/26/2017; character letters and/or sentencing memorandium in support of the defendant due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED.	04/20/2017	NAME AND	Violation of Supervised Release Status Conference is adjourned by the Court to April 28,	
to Adjourn the Court's Sentencing Date of \$5/\$/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows. Statement with Respect to Sentencing Factors, objections and/or motions, including SK1.1 motion; government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion; frapplicable, due by 7/19/2017; notice by the defendant of government failure to file 5K1.1 motion; frapplicable, due by 7/24/2017; responses to objections and/or motions due by 7/26/2017; character letters and/or sentencing memoration in support of the defendant due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED.	04/21/2017		NOTICE OF SCHEDULING as to Michael Robertson: Plea Agreement Hearing set for 4/25/2017 10:30 AM before Hon. Richard J. Arcara. (DJD) (Entered: 04/21/2017)	Luis P
arguments in defendant's sentencing memorandum due by 8/2/2017. SO ORDERED. ssued by Hon. Richard J. Arcara on April 21, 2017.(DJD) (Entered: 04/21/2017)	04/21/2017	602	to Adjourn the Court's Sentencing Date of 5/5/2017. The motion is granted, Sentencing is adjourned to 8/9/2017 at 12:30 PM before Hon. Richard J. Arcara: The schedule for the submission of sentencing papers is amended as follows. Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government motion for extension of time to file 5K1.1 motion or government motion for extension of time to file 5K1.1 motion, if applicable, due by 7/19/2012; notice by the defendant of government failure to file 5K1.1 motion, if applicable, due by 7/24/2017; responses to objections and/or motions due by 7/26/2017; character letters and/or sentencing memorandum in support of the defendant due by 7/26/2017; motions to adjourn sentencing due by 7/31/2017; final Presentence Investigation Report due by 8/2/2017; government's response papers to legal	
	Carrier and a constitution of the constitution	n44	arguments in defendantle-sentencing memorandum due by 8/2/2017. SO ORDERED. Issued by Hon. Richard J. Arcara on April 21, 2017.(DJD) (Entered: 04/21/2017)	

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/13/2018		CM/ECF LIVE(C) - U.S. District Court:nywd
and the second second	and the state of the	- Sentencing Letters (Attachments: # 1 Certificate of Service)(Henry, Daniel) (Entered: .04/26/2017)
04/26/2017	607	TEXT ORDER as to defendant, Antwon Steward (5). The United States filed 605 Motion to Set a Date for Trial or Plea Accordingly, a Meeting to Set a Date for Trial or Plea is scheduled for April 27, 2017 at 10:00 AM before Hon. Richard J. Arcara. SO
gyrsich führen.	appaid V	ORDERED. Issued by Hon. Richard J. Arcara on April 26, 2017.(DJD) (Entered: 04/26/2017)
04/27/2017	2015 CONTRACTOR (CONTRACTOR (C	Set/Reset Hearings as to Antwon Steward: Status Conference set for 5/26/2017 09:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 05/09/2017)
04/27/2017		Minute Entry for precedings held 4/27/2017 before Hon. Richard J. Arcara as to Deft, Antwon Steward (5). Meeting to set date for trial or plea is held. Deft waives his appearance for today's proceeding. Defense counsel recently received a plea offer from the Govt which he needs to review with the Deft. Status Conference is scheduled for 5/26/2017 at 9:00 AM. Time is excluded; Govt to submit a Speedy Trial Act Order. Deft remains on release. Appearances, Govt - George Burgasser; Deft - Jeremy Schwartz (without Deft) (Court Reporter Megan Pelka)(DJD) (Entered: 05/09/2017)
04/28/2017	602	MOTION to Adjourn Sentencing Date by USA as to James Hicks. (Burgasser, George) (Entered: 04/28/2017)
04/28/2017		Set/Reset Hearings as to Xavier Hill: Sentencing on Violation of Supervised Release set for 5/19/2017 01:30 PM before Hon. Richard I. Arcara. (DJD) (Entered: 04/28/2017)
04/28/2017	613	PLEA AGREEMENT as to Xavier Hill. (KM) (Entered: 05/01/2017)
04/28/2017		Minute Entry for proceedings held 4/28/2017 before Hon. Richard J. Arcara as to Deft, Xavier Hill (17). Plea proceeding is held as to Violation of Supervised Release. Deft admits to Charge No. 6 in the Amended Petition for Offender Under Supervision ordered on 3/51/2017. USFO Memorandium Report due by 5/18/2017 (12:00 PM). Sentencing is scheduled for 5/19/2017 at 1:30 PM. Deft is remanded pending sentencing. Appearances: Govt - Joel Violanti appearing for George Burgasser, Deft - Leslie Scott (with Deft); USFO - William Boya (Court Reporter Lori Beck, Jack W. Hunt & Associates, Inc., Buffalo, N.Y.; telephone: (853-5600).)(DJD) (Entered: 05/09/2017)
05/03/2017	(445),0	Set/Reset Hearings as to Demario Robbins: Sentencing set for 5/4/2017 11:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 05/03/2017)
05/03/2017	4	Minute Entry for proceedings scheduled for 5/3/2017 before Hon: Richard J. Arcara as to Deft, Demario Robbins (15). Sentencing proceeding previously scheduled for 5/3/2017 is not held due to the Court's trial calendar Sentencing is rescheduled for 5/4/2017 at 11:00 AM. Appearances: Govt - George Burgasser, Deft - Daniel Henry (without Deft); USPO - Lisa Ferraro (No Court Reporter) (DJD) (Entered: 05/16/2017)
05/04/2017		the Bureau of Prisosns for a term of 24-months; the cost of incarceration fee is waived.

04/ <u>\$</u> 4/ <u>\$</u> 047	CRIPER SO Jerome Charles Defendant's Sp& Motion for leave to file a notice of a out of time is granted. The Clerk of the Court shall file Defendant's Notice of App [598-2] and is directed to transmit Defendant's notice et appeal to the Clerk of the Court of Appeals for the Second Circuit. SO ORDERED. Signed by Hon. Richard Arcara on 4/24/17.(LAS)  CLERK TO FOLLOW UP- (Entered: 04/24/2017)			
04/24/2017	604	NOTICE OF APPEAL as to Jerome Grant by Barry Donohue. Fee Status: CJA Appointment. (KM) (Entered: 04/25/2017)		
04/24/2017	Sealed Document. (KM) (Entered: 04/26/2017)			
04/25/2017	<u>605</u>	MOTION To Set A Date For Trial Or Plea by USA as to Antwon Steward. (Burgasser, George) (Entered: 04/25/2017)		
04/25/2017	610	WAIVER OF INDICTMENT by Michael Robertson. (KM) (Entered: 05/01/2017)		
04/25/2017	611	SUPERSEDING INFORMATION as to Michael Robertson (2) count(s) 1s. (KM) (Entered: 05/01/2017)		
04/25/2017	612	PLEA AGREEMENT as to Michael Robertson. (KM) (Entered: 05/01/2017)		
04/25/2017	J. C.	Set/Reset Hearings as to Michael Robertson: Sentencing set for 8/7/2017 01:00 PM before Hon. Richard J. Arcara. (DJD) (Entered: 05/04/2017)		
04/25/2017		Minute Entry for proceedings held 4/25/2017 before Hon. Richard J. Arcara as to Deft, Michael Robertson (2): Waiver of Indictment and Plea proceeding is held. Deft waives Indictment and pleads guilty to a one-count Superseding Information (Count 1). Deft is remanded to the custody of the U.S. Marshals Service pending sentencing. The following schedule is established for the submission of sentencing papers: initial Presentence Investigation Report due by 6/23/2017; Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion; government notice not to file 5K1.1 motion, or government motions, including 5K1.1 motion; government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion is applicable, due by 7/21/2017; rosponses to objections and/or motions due by 7/24/2017; character Jetters and/or sentencing memorandum in support of the defendant due by 7/24/2017; motions to adjourn sentencing due by 7/28/2017; final Presentence Investigation Report due by 7/31/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 7/31/2017. Sentencing is scheduled for 8/7/2017 at 1:00 PM before Hon. Richard J. Arcara. Appearances: Govt George Burgasser, Deft. Peter Kooshoia (with Deft); USPO - Lillian Cullen - PROBATION NOTIFIED OF PLEA. (Court Reporter Megan Pelka) (DID) (Entered; 05/08/2017)		
04/25/2017	614	TEXT ORDER as to defendant, Michael Robertson (2). The following schedule is established for the submission of sentencing papers: initial Presentence Investigation Report due by 6/23/2017; Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion if applicable, due by 7/21/2017; responses to objections and/or motions due by 7/24/2017; character letters and/or sentencing memorandum in support of the defendant due by 7/24/2017; motions to adjourn sentencing due by 7/28/2017; final Presentence Investigation Report due by 7/31/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 7/31/2017. SO ORDERED. Issued by Hon. Richard J. Arcara on April 25, 2017. (DID) (Entered: 05/08/2017)		
04/26/2017	606	CONTINUATION OF EXHIBITS by Demario Robbins to 599 Sentencing Memorandum		

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2/13/2018	CM/ECF LIVE(C) - U.S. District Countrywd
213/2010	George Burgasser; Deft - Daniel Henry (with Deft); USPO - Lisa Ferraro (Court Reporter Megan Pelka.)(DJD) (Entered: 05/16/2017)
05/09/2017	Si5 Second MOTION to Adjourn. Sentencing by Damario James. (Leta, Joseph) (Entered: 05/09/2017)
05/10/2017	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Demario Robbins. (KM) (Entered: 05/11/2017)
05/12/2017	TEXT ORDER as to defendant, Damario James (3). The defendant filed 615 Second Motion to Adjourn Sentencing date of 57/19/2017. The motion is granted. Sentencing is adjourned to 8/21/2017 at 12:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing Factors, objections and/or motions, including 5K1.1 motion, government notice not to file 5K1.1 motion, or government motion for extension of time to file 5K1.1 motion, if applicable, due by 8/1/2017; rosponses to objections and/or motions due by 8/7/2017; character letters and/or sentencing memorandum in support of the defendant due by 8/7/2017; motions to adjourn sentencing due by 8/11/2017; final Presentence Investigation, Report due by 8/14/2017; government's response papers to legal arguments in defendant's sentencing memorandum due by 8/14/2017, SO ORDERED Issued by Hon. Richard J. Arcara on May 12, 2017.(DID) (Entered: 05/12/2017)
05/15/2017	618 ORDER TO CONTINUE - Ends of Justice as to Antwon Steward Time excluded from 4/27/2017 until 5/26/2017, Signed by Hon. Richard J. Arcara on 5/10/2017.(KM) (Entered: 05/15/2017)
05/15/2017	520 TRANSCRIPT REQUEST by Jerome Grant for proceedings held on 3/22/2017 before Judge Richard J. Arcara, (KM) (Entered: 05/16/2017)
05/16/2017	CLERKS CERTIFICATE as to Jerome Grant filed and electronically sent to Court of Appeals. (Attachments: # 1 index)(KM) (Entered: 05/16/2017)
05/16/2017	JUDGMENT as to Demario Robbins (15), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Einancial Department. Signed by Hon. Richard J. Arcara on 5/9/2017 (KM) (Entered: 05/17/2017)
05/18/2017	***CALENDAR NOTICE: Next week's oral argument as to Michael Robertson is canceled given the plea that has occurred. Issued by Hon. Hugh B. Scott on 5/18/2017. (GAI) (Entered: 05/18/2017)
05/18/2017	623 ***CALENDAR NOTICE: Next week's oral argument as to Antwon Steward is canceled given ongoing proceedings before Judge Arcara. Issued by Hon. Hugh B. Scott on 5/18/2017. (GAI) (Entered: 05/18/2017)
05/19/2017	First MOTION for Extension of Time to File objections to Presentence Investigation Report, MOTION to Produce by Spencer Rogers. (Hoffman, Alan) (Entered: 05/19/2017
05/19/2017	Minute Entry for proceedings held 5/19/2017 before Hon. Richard J. Arcara as to Deft, Xavier Hill (17). Sentencing is held as to Violation of Supervised Release. The Probation Officer's Memorandum Report is placed in the record under seal. If an appeal is filed, counsel on appeal will be permitted access to the sealed report, except that counsel on appeal will not be permitted access to the recommendation section. Deft is sentenced as follows: Deft's term of supervised release is revoked and he is committed to the custody of the Bureau of Prisons for a term of 5 months. No further term of supervision is imposed. Deft is remanded. The Court grants the Govt's oral motion to dismiss Charge Nos. 1 through 5 of the Petition for Offender Under Supervision. Appearances: Govt -

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CM/ECF LIVE(C) - U.S. District Court:nywd 12/\3/2018 6/26/2018 at 1:30 PM before Hon. Richard J. Arcara. The schedule for the submission of sentencing papers is amended as follows: Statement with Respect to Sentencing of schicling papers is animated as forlows, statement with respect to ordinating Factors, objections and/or motions, including SK.1.1 motion, government notice not to file SK1.1 motion, or government motion for extension of time to file SK1.1 motion if applicable,  $\phi$  ac by 6/5/2018; notice by the defendant of government failure to file SK1.1 motion, if applicable, due by 6/11/2018; responses to objections and/or motions due by 6/12/2018; character letters and/or sentencing memorandum in support of the defendant due by 6/12/2018; motions to adjourn sentencing due by 6/15/2018; final Presentence Investigation Report due by 6/19/2018; government's response papers to legal arguments in defendant's sentencing memorandum due by 6/19/2018. SO ORDERED. Issued by Hon. Richard J. Arcara on 4/30/2018.(JDK) (Entered: 04/30/2018) RECOMMENDATION (Sealed) as to Antwon Steward. (myers, mary) (Entered: 05/01/2018) 05/01/2018 308 SENTENCING MEMORANDUM by James Hicks (Attachments: # 1 Certificate of 05/01/2018= Service)(Parker, Brian) (Entered: 05/01/2018) 05/02/2018 <u>799</u> RECOMMENDATION (Sealed) as to James Hicks. (Hartman, Justine) (Entered: 05/02/2018) Minute Entry for proceedings held 5/9/2018 before Hon. Richard J. Arcara as to Deft, James Hicks (14), Count(s) 1 (Indictment). Sentencing is held. The Court accepts the terms and conditions of the plea agreement and the plea of guilty. The Presentence Investigation Report is placed in the record under seal. If an appeal is filed, counsel on 05/09/2018 appeal will be permitted access to the sealed report, except that counsel on appeal will not be permitted access to the recommendation section. Deft is committed to the custody of the Bureau of Prisons for a term of time served; the cost of incarceration fee is waived.

Govt - Wei Xiang; Deft - Brian Parker (with Deft); USPO - Lindsay Maza (Court Reporter Megan Pelka.)(DJD) (Entered: 05/09/2018) Sealed Document (NRE) (Entered: 05/11/2018) 05/10/2018 800 TUDGMENT as to James Hicks (14), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. 05/14/2018 801 Arcara on 5/11/2018.(KM) (Entered: 05/15/2018) 802 SENTENCING MEMORANDUM by Demario Robbins (Attachments: # 1 Exhibit A 05/22/2018 through E)(Scott, Leslie) (Entered: 05/22/2018) 05/23/2018 NOTICE OF NEW TIME FOR COURT PROCEEDING as to defendant, Demario

Upon release from imprisonment, Deft shall be placed on supervised release for a term of 3 years with standard and special conditions. Deft shall cooperate in the collection of a DNA sample as required by the Justice for All Act of 2004. No fine. Deft to pay mandatory special assessment in the amount of \$100.00, due immediately. Appearances:

Robbins (15). The time of the May 24, 2018 Violation of Supervised Release Sentencing is changed by the Court to 12:30 PM on May 24, 2018 before Hon. Richard J. Arcara.

(DJD) (Entered: 05/23/2018) Minute Entry for proceedings held 5/24/2018 before Hon. Richard J. Arcara as to Deft, Demario Robbins (15). Sentencing is held on Violation of Supervised Release. The 05/24/2018 Probation Officer's Memorandum Report is placed in the record under seal. If an appeal is filed, counsel on appeal will be permitted access to the sealed report, except that counsel on appeal will not be permitted access to the recommendation section. Deft is sentenced as follows: Deft's term of supervised release is revoked and he is committed to the custody of the Bureau of Prisons for a term of 6 months incarceration. No further term of supervision is imposed. Deft is remanded. Appearances: Govt - Wei Xiang; Deft

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12/13/2018	CM/ECF LIVE(C) - U.S. District Court:nywd			
06/26/2018	Minute Entry for proceedings held 6/26/2018 before Hon. Richard J. Arcara as to Deft, Antwan Garner (12), Count(s) 1 (Indictment). Sentencing is held. The Court accepts the terms and conditions of the plea agreement and the plea of guilty. The Presentence Investigation Report is placed in the record under seal. If an appeal is filed, counsel on appeal will be permitted access to the sealed report, except that counsel on appeal will not be permitted access to the recommendation section. Deft is placed on probation for a term of 1 year with standard and special conditions. Deft shall cooperate in the collection of a DNA sample as required by the Instice for All Act of 2004. No fine. Deft to pay \$100.00 mandatory assessment, due immediately. Appearances: Govt - Wei Xiang; Deft - Barry Covert (with Deft); USPO - Natalie Whitman appearing for Susan Murray (Court Reporter Megan Pelka.)(DJD) (Entered: 06/29/2018)			
06/29/2018 824	TUDGMENT as to Antwan Garner (12), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. Arcara on 6/27/2018.(KM) (Entered: 07/03/2018)			
06/29/2018 825	Sealed Document (Statement of Reasons) as to Antwan Garner. (KM) (Entered: 07/05/2018)			
07/02/2018 822	Sealed Document as to Antwan Garner. (KM) (Entered: 07/03/2018)			
07/02/2018 823	Sealed Document. (KM) (Entered: 07/03/2018)			
07/11/2018 826	STATEMENT WITH RESPECT TO SENTENCING FACTORS by Antwon Steward (Attachments: #1 Certificate of Service)(Schwartz, Jeremy) (Entered: 07/11/2018)			
07/16/2018 search of the control of	as to this Deft. Appearances: Govt - Wei Xiang; Deft - Jeremy Schwartz (with Deft); USPO - Susan Murray (Court Reporter Megan Pelka.)(DJD) (Entered: 07/24/2018)			
07/25/2018 827	JUDGMENT as to Antwon Steward (5), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. Arcara on 7/18/2018.(KM) (Entered: 07/26/2018)			
07/25/2018 828	Sealed Document (Statement of Reasons) as to Antwon Steward. (KM) (Entered: 07/26/2018)			
07/26/2018	Minute Entry for proceedings held 7/26/2018 before Hon. Richard J. Arcara as to Deft, Demetrius Holmes (13). Initial Appearance on Arrest Warrant is held as to Petition for Offender Under Supervision (Supervised Release) charge(s). AFPD Carla Benz appears with the Deft. Govt reads violation charge(s). Deft requests an evidentiary hearing. Evidentiary Hearing is scheduled for 8/8/2018 at 10:00 AM. Deft is remanded pending the next court proceeding. Appearances: Govt - Wei Xiang appearing for Paul Parisi; Deft			

1:	2/13/2018		CM/ECF LIVE(C) - U.S. District Court:nywd			
			Leslie Scott (with Deft); USPO - Erin Beiter (Court Reporter Megan Pelka.)(DJD) (Entered: 05/25/2018)			
	05/29/2018	803	Sealed Document as to Demario Robbins. (KM) (Entered: 05/29/2018)			
	06/01/2018	804	REVISED PRESENTENCE INVESTIGATION REPORT (Sealed) as to Antwan Garner. (Hartman, Justine) (Entered: 06/01/2018)			
*61	06/05/2018	<u>805</u>	STATEMENT WITH RESPECT TO SENTENCING FACTORS by Antwan Garner (Covert, Barry) (Entered: 06/05/2018)			
igi siri	06/05/2018	<u>806</u>	JUDGMENT for Revocation of Probation or Supervised Release as to Demario Robbins (15), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. Arcara on 5/31/2018.(KM) (Entered: 06/05/2018)			
	06/12/2018	-811≈	CJA 20 as to Benjamin Peoples: Authorization to Pay Paul G. Dell. Amount: \$5773.06, Voucher #0209.0633177. Signed by Hon. Richard J. Arcara on 6/11/2018.(KM) (Entered: 06/19/2018)			
NIG:	06/18/2018	809	MOTION to Seal Sentencing Memorandum by Antwan Garner. (Attachments: # $\downarrow$ Text of Proposed Order)(Covert, Barry) (Entered: 06/18/2018)			
	06/19/2018	810	RECOMMENDATION (Sealed) as to Antwan Garner. (Hartman, Justine) (Entered: 06/19/2018)			
Auc	06/19/2018	812	REVISED PRESENTENCE INVESTIGATION REPORT (Sealed) as to Antwon Steward. (Hartman, Justine) (Entered: 06/19/2018)			
(Refro	06/19/2018	813	CJA 20 as to James Hicks: Authorization to Pay Brian K. Parker. Amount: \$980.00, Voucher #0209.0640351. Signed by Hon. Richard J. Arcara on 6/19/2018.(KM) (Entered: 06/20/2018)			
and the last	06/21/2018	814	STATEMENT WITH RESPECT TO SENTENCING FACTORS by USA as to Antwan Garner (Xiang, Wei) (Entered: 06/21/2018)			
	06/21/2018	·815×	Minute Entry for proceedings held before Hon. Hugh B. Scott: Re-Entry Court Proceedings for Damario James held on 6/21/2018. (Court Reporter FTR Gold.)(GAI) (Entered: 06/21/2018)			
4	06/21/2018	816	MOTION to Scal Supplemental Memorandum by Antwan Garner. (Attachments: # 1 Text of Proposed Order)(Covert, Barry) (Entered: 06/21/2018)			
	06/21/2018	820	CJA 20 as to Spencer Rogers: Authorization to Pay Alan S. Hoffman. Amount: \$9956.34, Voucher #0209.0646816. Signed by Hon. Richard J. Arcara on 5/24/2016.(KM) (Entered: 06/22/2018)			
	06/22/2018	817.	TEXT ORDER as to Antwan Garner: Defendant has filed a <u>816</u> motion to seal his supplemental sentencing memorandum. The motion is granted. SO ORDERED. Issued by Hon. Richard J. Arcara on 6/22/18.(LAS) (Entered: 06/22/2018)			
	.06/22/2018	818	MOTION to Adjourn Sentencing by Antwon Steward. (Attachments: # 1 Certificate of Service)(Schwartz, Jeremy) (Entered: 06/22/2018)			
e.	06/22/2018	819	TEXT ORDER as to defendant, Antwon Steward (5). The defendant filed <u>818</u> Motion to Adjourn Sentencing date of 6/26/2018. The motion is granted. Sentencing is adjourned to 7/16/2018 at 1:00 PM. SO ORDERED. Issued by Hon. Richard J. Arcara on June 22, 2018.(DJD) (Entered: 06/22/2018)			
	06/22/2018		REVISED PRESENTENCE INVESTIGATION REPORT (Sealed) as to Antwon Steward. (Hartman, Justine) (Entered: 06/22/2018)			
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09/10/2018

09/13/2018

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09/12/2018)

			- Carla Benz (with Deft); USPO - Richard Galmarini appearing for Scott Kawski (Court Reporter Megan Pelka.)(DJD) (Entered: 07/28/2018)
	07/26/2018		Set/Reset Hearings as to Demetrius Holmes: Evidentiary Hearing On Violation of Supervised Release set for 8/8/2018 10:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 07/28/2018)
	07/30/2018	829	NOTICE OF ATTORNEY APPEARANCE Paul C. Parisi appearing for USA. [Adding Paul C. Parisi] (Parisi, Paul) (Entered: 07/30/2018)
	08/03/2018	831	CJA 20 as to Antwan Garner: Authorization to Pay Barry N. Covert. Amount: \$2,257.40, Voucher #0209.0619545. Signed by Hon. Richard J. Arcara on 8/1/2018.(KM) (Entered: 08/10/2018)
	08/08/2018	Sip .	Set/Reset Hearings as to Demetrius Holmes: Plea on Violation of Supervised Release set for 8/22/2018 09:00 AM before Hon. Richard J. Arcara. (DJD) (Entered: 08/08/2018)
	08/08/2018	i.	Minute Entry for proceedings held 8/8/2018 before Hon. Richard J. Arcara as to Deft Demetrius Holmes. Evidentiary Hearing on Violation of Supervised Release previously scheduled for today's date is not held. The parties are working on a plea resolution. The defense needs time to review the plea agreement. Plea proceeding is scheduled for 8/22/2018 at 9:00 AM. Deft remains in custody. Appearances: Govt - Joel Violanti appearing for Paul Parisi; Deft - Carla Benz (with Deft); USPO - Scott Kawski (Court Reporter Megan Pelka.)(DJD) (Entered: 08/08/2018)
Canadamana	08/10/2018	832	Arrest Warrant Returned Executed on 7/26/2018 in case as to Demetrius Holmes. (KM) (Entered: 08/10/2018)
ALIAN MANAGEMENT AND ADDRESS OF THE PARTY AND	08/15/2018	833	Minute Entry for proceedings held before Hon. Hugh B. Scott: Re-Entry Court Proceedings for Damario James held on 8/15/2018. (Court Reporter FTR Gold.)(GAI) Modified on 8/15/2018 to enter correct date (GAI). (Entered: 08/14/2018)
distantant .	08/22/2018	834	PLEA AGREEMENT as to Demetrius Holmes. (KM) (Entered: 08/23/2018)
Santa	08/22/2048**	Minute Entry for proceedings held 8/22/2018 before Hon. Richard J. Arcara as to Deft, Demetrius Holmes (13). Plea proceeding is held as to Violation of Supervised Release. Deft admits to Charge No. 4 of the Petition for Offender Under Supervision ordered on 6/7/2018. USPO Memorandum Report is due by 9/10/2018 at 12:00 PM. Sentencing is scheduled for 9/14/2018 at 1:00 PM. Deft is remanded pending sentencing. Appearances: Govt - Paul Parisi; Deft - Carla Benz (with Deft); USPO - Scott Kawski (Court Reporter Megan Pelka.)(DJD) (Entered: 08/29/2018)	
	08/22/2018		Set/Reset Hearings as to Demetrius Holmes: Sentencing on Violation of Supervised Release set for 9/14/2018 01:00 PM before Hon. Richard J. Arcara. (DJD) (Entered: 08/29/2018)
	09/06/2018	835	Minute Entry for proceedings held before Hon. Hugh B. Scott: Re-Entry Court Proceedings for Damario James held on 9/6/2018. (Court Reporter FTR Gold.)(GAI) (Entered: 09/06/2018)
ļ			

Letter from Jerome Grant, dated 9/3/2018, to Whom it May Concern. (KM) (Entered:

ORDER as to Jerome Grant: For reasons stated in the accompanying Order, the letter request of defendant Grant for a sentencing reduction 836 is denied without prejudice to a showing that the defendant wishes to bring a 2255 Petition and has not waived the right to do so. A copy of this entry has been mailed to Jerome Grant, 15114-055, Federal Correctional Institution - McDowell, P.O. Box 1009, Welch, WV 24801. SO ORDERED

Signed by Hon. Richard J. Arcara on 9/13/2018.(LAS)

CM/ECF LIVE(C) - U.S. District Court:nywd

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		Od3C 1.13 CV 00203 L0 V D0CC	••
/13/2018		CMFCF LNE(C) - U.S. District Court:nywd -CLERK TO FOLLOW UP- (Entered: 09/13/2018)	1
09/13/2018	838	MOTION to Seal Document Sentencing Memorandum by Demetrius Holmes. (Benz, Carla) (Entered: 09/13/2018)	
09/14/2018	839	TEXT ORDER granting Defendant's <u>838</u> Motion to Seal Sentencing Memorandum. Issued by Hon. Richard J. Arcara on 9/14/2018.(LAS) (Entered: 09/14/2018)	,
09/14/2018	-329	Remark - Defendant Jerome Grant mailed <u>837</u> Order and 2255 Motion forms. (KM) (Entered: 09/14/2018)	
09/14//2018	340	Minute Entry for proceedings held 9/14/2018 before Hon. Richard J. Arcara as to Deft, Demetrius Holmes (13). Sentencing is held on Violation of Supervised Release. The Probation Officer's Memorandum Report is placed in the record under seal. If an appeal is filed, counsel on appeal will be permitted access to the sealed report, except that counsel on appeal will not be permitted access to the recommendation section. Deft is sentenced as follows: Deft's term of supervised release is revoked and he is committed to the custody of the Bureau of Prisons for a term of 7 months. No further term of supervision is imposed. Deft is remanded. The Court grants the Govt's oral motion to dismiss the remaining violation petition charges. Appearances: Govt - Paul Parisi; Deft -Carla Benz (with Deft); USPO - Erin Beiter for Scott Kawski (Court Reporter Megan Pelka.)(JDK) (Entered: 09/14/2018)	L
09/20/2018	841	Letter from Jerome Grant, dated 9/16/18, to Judge Arcara (SG) (Entered: 09/21/2018)	1
09/28/2018	842	MOTION to S, al Document by Jerome Grant. (Donohue, Barry) (Entered: 09/28/2018)	1
09/29/2018	843	MOTION to Seal Document *CORRECTED* by Jerome Grant. (Donohue, Barry) (Entered: 09/29/2018)	680
10/01/2018	844	MOTION to Modify Conditions of Release by Antwan Garner. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Covert, Barry) (Entered: 10/01/2018)	1
10/02/2018	845	TEXT ORDER as to Antwan Garner: The Government and the United States Probation Office shall respond to Defendant's <u>844</u> motion to modify the conditions of his supervised release no later than October 12, 2018. SO ORDERED. Issued by Hon. Richard J. Arcara on 10/2/2018.(LAS) (Entered: 10/02/2018)	
10/02/2018	846	TUDGMENT for REVOCATION of Probation or Supervised Release as to Demetrius Holmes (13), Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Richard J. Arcara on 9/25/2018.(KM) (Entered: 10/02/2018)	
10/11/2018	847	Sealed Document (SG) (Entered: 10/11/2018)	
10/11/2018	848	Sealed Document as to Demetrius Holmes. (SG) (Entered: 10/11/2018)	]
10/12/2018	849	RESPONSE to Motion by USA as to Antwan Garner re <u>844</u> MOTION to Modify Conditions of Release (Xiang, Wei) (Entered: 10/12/2018)	
10/16/2018	851	MOTION to Vacate under 28 U.S.C. 2255 by Jerome Grant. (KM) Civil case 1:18-cv-01166 opened. (Entered: 10/23/2018)	
10/22/2018	850	TEXT ORDER as to Jerome Grant: Defendant's <u>843</u> motion to seal corrected document is granted. Therefore, his previous <u>842</u> motion to seal is dismissed as moot. SO ORDERED Issued by Hon. Richard J. Arcara on 10/22/2018.(LAS) (Entered: 10/22/2018)	
10/24/2018	852	DECISION AND ORDER as to Antwan Garner: For the reasons set forth in the attached Decision and Order, Defendant's <u>844</u> motion to lift the standard travel restriction on his term of probation is denied pursuant to Fed. R. Crim. P. 32.1(c) and 18 U.S.C. § 3563(c)	
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1		without prejudice. SO ORDERED. Signed by Hon. Richard J. Arcara on 10/15/2018. (LAS) (Entered: 10/24/2018)
14/13/2018	853	ORDER as to Jerome Grant. The Respondent shall file and serve an answer and a memorandum of law to the petition no later than December 21, 2018. Petitioner may file a written reply within 20 days of receipt of the answer and memorandum of law. Respondent may file within 20 days of the date of this Order file a motion for a more definite statement or a motion to dismiss the petition. all docketing for this action shall be made in the related criminal action 14-Cr-134-6. Signed by Hon. Richard J. Arcara on 11/9/2018.(KM)(A copy of this order was sent to the petitioner.) (Entered: 11/14/2018)
11/15/2018	854	Minute Entry for proceedings held before Hon. Hugh B. Scott: Re-Entry Court Proceedings for Damario James held on 11/15/2018. (Court Reporter FTR Gold.)(GAI) (Entered: 11/15/2018)
11/19/2018	<u>855</u>	MOTION to Dismiss NOTICE OF MOTION AND MOTION WITH AFFIDAVIT IN SUPPORT OF MOTION TO DISMISS SECTION 2255 MOTION by USA as to Jerome Grant. (Attachments: # 1 Exhibit 1)(Xiang, Wei) (Entered: 11/19/2018)
11/20/2018	*856*	TEXT ORDER as to Jerome Grant: The Government has filed a \$55 motion to dismiss Petitioner's Motion to Vacate under 28 U.S.C. 2255. The Petitioner is directed to file a response to the Government's motion to dismiss on or before December 18, 2018. Reply papers are due no later than January 11, 2019. The briefing schedule in this text order supersedes the scheduling order set forth on 11/13/2018 at docket number \$53 . A copy of this entry has been mailed to Jerome Grant, 15114-055, FCI MCDOWELL, PO Box 1009, WELCH, VA 24801. Issued by Hon. Richard J. Arcara on 11/20/2018.(LAS) (Entered: 11/20/2018)
11/21/2018	857.	SATISFACTION OF JUDGMENT as to Benjamin Peoples by USA (Robinson, Kevin) (Entered: 11/21/2018)
Proceedings as to Damario Ja (Entered: 11/29/2018) 12/10/2018 859 REPLY TO RESPONSE to M NOTICE OF MOTION AND J		Minute Entry for proceedings held before Hon. Hugh B. Scott: Re-Entry Court Proceedings as to Damario James held on 11/29/2018. (Court Reporter FTR Gold.)(GAI) (Entered: 11/29/2018)
		REPLY TO RESPONSE to Motion by Jerome Grant regarding \$55 MOTION to Dismiss NOTICE OF MOTION AND MOTION WITH AFFIDAVIT IN SUPPORT OF MOTION TO DISMISS SECTION 2255 MOTION (KLH) (Entered: 12/10/2018)

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months. Dkt. 504. This Also Proves the Violation of Die Placess, 14 Places and is Plant I was and No Hearing were Held a Violation of my Die Placess Fights

- 3. In a later sentencing statement filed by his attorney, however, the defendant did not object to his career offender status. Dkt. 570. Consistent with the terms of the plea agreement, on March 22, 2017, the Court sentenced the defendant to 188 months of imprisonment and 4 years of supervised release. The judgment of conviction was filed on March 28, 2017. Dkt. 588. Object it for me that is why I wrote a pro-se letter informing the half is a pro-se letter informing the half in a misceringe of F. My ineffective Attorney Did Dis regard what I was saying Judice on the
- 4. In April of 2017, the defendant filed a notice of appeal of his sentence. Dkt. 604. Four months later, however, he entered a stipulation with the government for dismissal of his appeal. A copy of the filed stipulation is attached herein as Exhibit 1. The stipulation contained an affirmation of the defendant, wherein he requested his attorney withdraw the appeal. Ex. 1, Def. Aff. ¶ 1. The defendant affirmed as follows:

  | Counsel we would a my counsel lead me to this

I understand that I am now going back to my original position that I do not wish to appeal. I also understand that I will not be able to change my mind again. I understand that my appeal will be gone forever and no other court will ever be able to review my conviction and sentence.

Id. at ¶ 5 (emphasis in original). On August 24, 2017, the Court of Appeals issued its mandate ordering the stipulated dismissal. Dkt. 675.

coursel made me do this

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5. On September 10, 2018, a letter from the defendant was filed in this case. Dkt. 836. The letter was dated September 3, 2018, and appears to have been postmarked on

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JERAME GRANT 15/14-055

Federal Correctional Institutional Gilmer

P.O. BOX 6000

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